

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7933 of 2008

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Krishna Mohan Sahay , son of Late Mohini Mohan Sahay, resident of
Shayam Pati Niketan Rajputana, P.O-G.P.O. P.S. Gardanibagh, District-
Patna

.... Petitioner

Versus

1. The State of Bihar through the Secretary, Commercial Taxes, New
Secretariat, Bihar, Patna
2. The Commissioner, Commercial Taxes, New Secretariat, Bihar, Patna
3. The Deputy Commissioner, Commercial Taxes, West Circle, Gandhi
Maidan, Patna

.... Respondents

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Appearance :

For the Petitioner/s : Mr. V.N.Shahay
Mr. Arun Shrivastava

For the Respondent/s : Mr. AC to PAAG

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

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3 31-03-2015 Heard Sri V.N. Sahay, learned counsel for the

petitioner and Sri Ajay Sharma, learned AC to Principal Addl.

Advocate General.

The petitioner, who was to superannuate in the month
of December, 2008, had filed the present writ petition in the month
of May, 2008 with a prayer to direct the Respondents to grant him
promotion from Class-IV to Class-III post. Of course, in the writ
petition, there is no specific pleading, but it has been stated that
two persons, who were junior to the petitioner, were given
promotion from Class-IV to Class-III post. Though as per
petitioner, juniors were given promotion in the year 1998, no

plausible explanation has been given for approaching this Court after such a long time. Moreover, in the counter affidavit filed on behalf of the Respondent State it has been stated that there is no provision for promotion from Class-IV to Class-III post, but appointment is done by the Selection Committee on Class-III post.

Keeping in view the fact that even if the petitioner was having requisite qualification, he himself has slumbered over his right for several years. Accordingly, at this belated stage no such writ can be issued in favour of the petitioner.

The writ petition stands dismissed.

(Rakesh Kumar, J)

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