

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No. 631 of 2016

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Mahendra Yadav Son of Sri Ranjit Yadav Resident of Village- Kushmaha, Po
Bharnapiluba, P.s Baunsi, District Patna. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, water Resources Department, Govt. of Bihar, Patna
2. The Principal Secretary, Water Resources Department, Government of Bihar, Patna.
3. The Chief Engineer, Water Resources Department, Bhagalpur.
4. The Executive Engineer, Jalpath Division, Sekhpura.
5. The Executive Engineer, Irrigation Division Baunshi,

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 827 of 2016

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1. Subhash Chandra Prasad Son of Late Dashrath Prasad resident of village - Ram Punak, P.O. Punak, P.S. Darauli, District - Siwan
2. Jitendra Kumar Sudhakar Son of Late Amrit Ram resident of village + P.O. Dharaut, P.S. Makdumpur, District – Jehanabad Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Water Resources Department, Government of Bihar, Patna
2. The Principal Secretary, Water Resources Department, Government of Bihar, Patna.
3. The Chief Engineer, Water Resources Department, Bhagalpur
4. The Executive Engineer, Irrigation Division No. 2, Jamui
5. The Executive Engineer, Irrigation Division Darkhan, Camp, Pakribarawan

.... Respondent/s

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Appearance :

(In CWJC No.631 of 2016)

For the Petitioner/s : Mr. Alok Ranjan

For the Respondent/s : Mr. SC21- Kumar Manish

(In CWJC No.827 of 2016)

For the Petitioner/s : Mr. Alok Ranjan

For the Respondent/s : Mr. SC22-Kundan Bahadur Singh

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 18-04-2016

After having heard learned counsel for the petitioners and
counsel for the State as well as having perused the stand of the

respondents in the counter affidavit, obviously, the promotion granted to the petitioners by the previous incumbent, who is Respondent No. 6 in the present writ application, has been done in gross violation of the directive, dated 12.08.2014, issued by the General Administration Department, Government of Bihar.

The Court is informed that appropriate show-cause has already been issued to the Respondent No. 6 in this regard and the matter will be examined critically.

Be that as it may, the Court would not like to interfere with Annexure-3, because that will amount to giving premium to an illegal decision and a decision in the face and teeth of the ban imposed by the General Administration Department, dated 12.08.2014.

However, now since the said situation has changed. The order, dated 12.08.2014 has been quashed. Respondent authorities will proceed in the matter afresh as per the prevalent rules in this regard with regard to such promotion.

Writ application is dismissed.

(Ajay Kumar Tripathi, J)

SKM/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	19.04.2016
Transmission Date	