

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5450 of 2013

=====

Deo Nath Prasad Singh S/O Late Saudagar Singh Resident Of Village-
Gobindpur, P.S- Sarmera, District- Nalanda.

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Secretary, Health Department Of Bihar, Old Secretariat, Patna.
3. Director, Health Service, Government Of Bihar Old Secretariat, Patna.
4. Civil Surgeon-Cum- Chief Medical Officer, Jamui.
5. Civil Surgeon Cum Chief Medical Officer, Munger.
6. In Charge Medical Officer, Referral Hospital, Jhajha, Jumui.
7. The Account General, Bihar, Patna.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Adv.
For the Respondent/s : Mr. S. Raza Ahmad, Sr. Adv.
Mr. Anisul Haque, AC to AAG-9

=====

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 23-02-2016 Heard learned counsel for the petitioner and counsel
for the State.

Learned counsel for the petitioner submits that the benefit of time bound promotion has not been given from the due date and rest of the grievances of the petitioner has already been redressed.

With regard to time bound promotion, a claim has been made that as per the 4th Pay Commission Report, the petitioner was entitled to the second time bound promotion with effect from 1.4.1981. He has been granted benefit of second time bound promotion with effect from 1.4.1986.

The petitioner in the writ application has himself stated that he has passed the Hindi Noting and Drafting Examination and Accounts Examination in the year 1985 and in terms of the 4th Pay Revision Commission all the essential ingredients for regular promotion shall equally applicable to the time bound promotion. As the petitioner has not passed the Hindi Noting and Drafting Examination and Accounts Examination before 1985 the action of the respondents cannot be said to be illegal.

Accordingly, this Court does not find any merit in the present case with respect to second time bound promotion which has already been granted to him as stated by the petitioner himself. In that view of the matter, this petition is dismissed.

It goes without saying that the pension of the petitioner and other retiral dues including increment and difference of salary will be fixed in term of second time bound promotion which has been granted to him with effect from 1.4.1986.

(Shivaji Pandey, J)

Rishi/-

U			
---	--	--	--