

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.831 of 2011

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1. Ram Prasad Yadav (aged about 50 years) son of Sri Raj Nath Yadav Resident Of Mohalla At Bhuramal Colony Police Station Ishanchak In District Of Bhagalpur , At Present Posted As Surveyor , Minor Irrigation Division , Bhagalpur

2. Anand Lal Singh son of Shri Ramyatan Singh Resident Of Village At Chiniya Bela , Police Station Punpun In The District Of Patna , Bihar At Present Posted As Surveyor , Minor Irrigation Office , Mithapur , Patna

.... Petitioner/s

Versus

1. The State Of Bihar , Patna

2. Department Of Minor Irrigation Bihar , Patna

3. Chief Engineer , Minor Irrigation , Vikash Bhawan , Patna

4. Superintending Engineer , Minor Irrigation , Vikash Bhawan , Patna

5. Executive Engineer , Minor Irrigation , Vikash Bhawan , Patna

6. Sub - Divisional Officer , Mithapur , Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Satyendra Narayan Singh

For the Respondent/s :

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

7 24-02-2016 Heard Sri Satyendra Narain Singh, learned counsel for the petitioners and learned AC to SC No. 18.

Two petitioners, who are employees in the Minor Irrigation Department, have approached this court invoking its writ jurisdiction to direct the respondents to consider their cases for promotion to the post of Junior Engineer.

In this case counter affidavit and supplementary counter affidavit has been filed and stand has been taken that petitioners were absorbed from the work-charge establishment. A specific

plea has been taken that petitioners are not having requisite qualification for being promoted as Junior Engineer. It has also been indicated that there is no cadre of Junior Engineer in the Minor Water Resources Department. No reply to the supplementary counter affidavit has been filed whereas in paragraph no. 9 of the supplementary counter affidavit a specific stand has been taken regarding having no requisite qualification.

In view of the fact that petitioners are not having requisite qualification as well as the fact that in the Minor Water Resources Department there is no cadre of Junior Engineer, no positive order can be passed in the present writ petition.

Accordingly, without any specific direction, the writ petition stands disposed of.

(Rakesh Kumar, J)

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