

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.22904 of 2013

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Sheshnath Ram, son of late Hukum Ram, resident of Village Jhanjhri, P.S. Inarwa, District West Champaran, presently posted and serving as Havildar in B.M.P. 16, Phulwai Sharif, Patna, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home (Police), Government of Bihar, Patna
2. The Director General of Police, Bihar, Patna
3. The Additional Director General, Military Police, Bihar, Patna
4. The Inspector General, Military Police, Bihar, Patna
5. The Deputy Inspector General, Military Police, Central Division
6. The Samadestha (Commandant), Bihar Military Police-16, Phuwari Sharif, Patna
7. Bhagwan Ram, son of not known, present posted as Havildar at B.M.P.-16, Phulwari Sharif, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Rahi, Advocate.

For the Respondent/s : Mr. Mirtunjay Kumar, AC to AAG 10

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 07-04-2016

Heard learned counsel for the petitioner and learned counsel for the State.

In the present writ petition, petitioner has prayed for promotion to the post of Sub Inspector.

It is well settled principle of law that consideration of promotion is a fundamental right as enshrined in Article 16 of the Constitution of India. But getting an order of promotion is not a fundamental right.

In the present case the petitioner could not pass the

examination of Hindi Noting and Drafting. His case was placed before the Departmental Promotion Committee. They did not clear his name and in such view of the matter his junior whose case was considered and he was promoted.

Learned counsel for the petitioner submits that during pendency of the writ petition he has also passed Hindi Noting and Drafting examination and in such view of the matter whenever there is Departmental Promotion Committee meeting the case of the petitioner will be placed for consideration before the Committee.

With the aforesaid observation this writ petition is disposed of.

(Shivaji Pandey, J)

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