

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.18364 of 2015**

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1. Pramod Kumar Son of Shri Muneshwar Das Resident of 122/B, Ashiana Nagar, Phase -1, Patna, P.s Rajiv Nagar, District Patna at Present Posted as Treasury Officer, Arwal District Arwal.

.... .... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Department of General Administration-cum-Member of Department promotion Committee of Commercial Taxes, Department, Bihar, Patna.
3. The Principal Secretary-cum-Commissioner, Commercial Taxes Department, Bihar Patna Human Resources Development Department , Bihar, Patna.
4. The Chairman, Department Promotion Committee, Bihar Patna -cum-Member, Board of Revenue, Bihar Patna.
5. The Under Secretary to Government of Bihar, Department of Commercial Taxes, Bihar, Patna.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Subhash Kumar Jha

For the Respondent/s : Mr. V.K. Singh- GA3

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**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI**

ORAL JUDGMENT

**Date: 21-01-2016**

Heard learned counsel for the parties.

Writ application of the petitioner is disposed off for the same set of reason, which was used in disposing off a batch of writ applications, a copy of which is annexed as Annexure-4.

The Court is not satisfied with the stand of the State taken in the counter affidavit that the department is prevented from taking any decision because of General Administrative Department's circular, dated 12.08.2014 in the changed circumstances and especially after a Division Bench has already pronounced a judgment on the issue way back in July, 2015 itself and there is no

order of stay on that decision by the Hon'ble Supreme Court.

The respondents are directed to take an early decision with regard to grant of promotion to the petitioner keeping in mind the recommendation of the Departmental Promotion Committee within a period of three months from the date of communication / production of a copy of this order.

Writ application stands disposed off with observation and direction as above.

**(Ajay Kumar Tripathi, J)**

SKM/-

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