

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1273 of 2015

In
Civil Writ Jurisdiction Case No. 16412 of 2011

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SHASHI SHEKHARAM, SON OF BACHCHA SINGH, RESIDENT OF
BHATTA DURGA BARI PURNEA AT PRESENT WORKING S
STATISTICAL, OFFICE OF TRANSPORT COMMISSIONER, PATNA
. Petitioner

Versus

1. THE STATE OF BIHAR
 2. SRI ANJANI SINGH, CHIEF SECRETARY, BIHAR
 3. SRI SHASHI SHEKHAR SHARMA, SECRETARY CUM STATE
TRANSPORT COMMISSIONER, PATNA. Respondents
- =====

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Mishra, Advocate
For the Respondent/s : Mr. Anil Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

3 27-01-2016 It appears that previous order dated 20.1.2016 has

wrongly been inscribed on the records of this case, as such the

same is recalled with following order:-

The petitioner filed C.W.J.C.No. 16412 of 2011 for a

direction to the respondents to consider his case for appointment

to the post of District Transport Officer with effect from the

date of actual vacancy. The writ petition had been disposed of

on 22.11.2013 with further modification vide order dated

2.12.2013 with following directions to the respondents:-

*“In such circumstances, the petitioner’s
case too should be considered for promotion to the
post of District Transport Officer (Junior) in
accordance with the said circular/Government order
within three months.”*

Show cause has been filed by opposite party no.3. It has

been stated that after Court's order, petitioner's name has been included in the list prepared for consideration of promotion on the post in question. The department has sought advice from the department of General Administration, and no sooner the State Government takes further order/decision, the Departmental Promotion Committee would pass order with respect to petitioner's promotion. He further stated that the Resolution no.11635 dated 21.8.2012 was challenged before this Court in C.W.J.C.No. 19114/2012 and the same was stayed vide order dated 5.8.2014. However, the said order was challenged by the Government in LPA no.1066/2015 which was dismissed vide order dated 30.7.2015. The State has carried the matter further in SLP which is pending before the Hon'ble Supreme Court.

The opposite parties would take appropriate steps in the matter within two months from the date of receipt of copy of this order. The MJC is accordingly disposed of.

(Samarendra Pratap Singh, J)

Shashi.

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