

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.21248 of 2014

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1. Deepak Kumar Sharma son of Late Krishna Sharma, resident of Village – Tarbangla behind of Aara Machin, P O – Dehri, District – Rohtas.
 2. Kamlesh Kumar son of Late Ram Brich Prasad, resident of Village – Amarpur, P S – Darauli, District – Siwan.
 3. Nilesh Kumar son of Late Inderadeo Singh, Village – Gathi Mohanpur, P O – Sahoda, P S – Shambhu Ganj, District – Banka.
 4. Vikas Kumar son of Late Ramu Singh near Sinha College, Mahavir Nagar, Ward – 32, Aurangabad.
 5. Ranjit Kumar son of Late Babu Ram Singh, resident of Village – Jagdishpur, P O – Dumra, P S – Amba, District – Aurangabad.
 6. Ram Nath Ram son of Late Dhuneshwar Ram, resident of Village – Jarghar, P.O. Anraj Nawadih, P.S. Garhwa, District –Garhwa (Jharkhand).
 7. Shambhu Sah son of late Jitbandhan Sah, resident of Village – Jatahua Kala, P O – Lamdadi, P S – Kandi, District - Garhwa (Jharkhand).
 8. Naveen Kumar son of late Awad Bihari Singh, resident of C/o Radha Singh, North Patel Nagar, Gokul Path (Nala Par), P O – Keshari Nagar, Patna.
 9. Dharmendra Kumar son of late Motilal Prasad, resident of village – Harpur, P.O. Shahpur, P S – Nawtan, District – Siwan.
 10. Santosh Kumar Niraj son of late Chandramani Sharma, resident of Village – Bhisra, P O – Chandrapura, P S – Amjhore, District – Garhwa (Jharkhand).
 11. Mithilesh Kumar Paswan son of late Jagatnarayan Ram, resident of Village – Sheopur, P S – Kandi, District- Garhwa (Jharkhand).
 12. Satyaraj Arun son of late Subhash Prasad, resident of At & PO – Dariyapur, P S – Naubatpur, District – Patna.
 13. Navnit Rajan son of Late Sakaldeep Tiwari, resident of Village – Rachhol, P O – Umga, P S – Madanpur, District – Aurangabad.
 14. Badiuzama Khan son of late Mahphuj Khan, resident of Village – Saren, P O – Saren, P.S. Makhdumpur, District – Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Commissioner-cum-Secretary, Water Resources Department, Govt. of Bihar, Patna.
3. The Joint Secretary, Water Resources Department, Govt. of Bihar, Patna.
4. The Deputy Secretary, Water Resources Department, Govt. of Bihar, Patna.
5. The Chief Engineer, Water Resources Department, Aurangabad.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar Singh

For the Respondent/s: Mr. Mritunjay Kumar, AC to SC23

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 05-01-2016

Without getting into the nitty-gritty of the facts which have been

pleaded in the present writ application on behalf of the petitioners, the basic issue which arises for consideration is whether the employees, who are working under the Water Resources Department on Class IV post, are entitled for consideration for promotion to Class III post. Assertion in the writ application is that no promotions have been granted to most of the employees in the last 30 years and it is only now on 16th December, 2014 that a rule has been notified known as Bihar Water Resources Department Regional Clerical Cadre (Recruitment and Service Conditions) Rule, 2014.

Now that a legislation is in place and the parameters have been indicated in terms of the notification dated 16th December, 2014, which has been brought on record as Annexure-9 to the supplementary affidavit, filed on behalf of the petitioners. The Court directs the Engineer-in-Chief, Water Resources Department, Government of Bihar that he will ensure that the gradation list across the State is finalized, if not already finalized, within a period of three months and thereafter take up the cases for promotion of all the eligible candidates within another six months. The entire exercise must be completed within a period of nine months starting today.

Writ application is disposed of with above observation and direction.

(Ajay Kumar Tripathi, J)

R.K.Pathak/-

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