

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15623 of 2012

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Raghunandan Prasad, Son of Late Kashi Nath, Resident of 48, Magistrate Colony,
P.S.- Rajeev Nagar (Previously Shastri Nagar), District- Patna

.... Petitioner/s

Versus

1. Union of India through Under Secretary, Ministry of Personnel and Public Grievances and Pension, Department of Personnel and Training, New Delhi
2. The Government of Bihar through Chief Secretary, Government of Bihar, Patna
3. The Principal Secretary, Department of Personnel and Administrative Reforms, Government of Bihar, Patna
4. The Additional Secretary, Department of Personnel and Administrative Reforms, Government of Bihar, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. M.P. Dixit, Advocate

For the Respondent/s : Mr. Rajiv Roy, GP-5

Mr. Arun Kumar, AC to GP-5

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH

And

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH)

Date: 05-04-2016

Heard learned counsel for the parties.

Petitioner is aggrieved by the order of the Central Administrative Tribunal, Patna Bench, Patna dated 09.12.2011, passed in O.A. No.641/2007.

Learned counsel for the petitioner submits that though petitioner retired in May 2004, in January, 2004 there was vacancy in the post of Special Secretary, which was not filled up by the State in consultation with U.P.S.C. To us, it seems that there were posts, the right of the petitioner, at best, was to be considered for

promotion and not to grant promotion. That being so, the petitioner now having superannuated and more than 12 years time having gone by, we are afraid that no relief can be granted to the petitioner. The post admittedly was a selection post. This writ petition merits no consideration. It is dismissed accordingly.

(Navaniti Prasad Singh, J.)

(Nilu Agrawal, J.)

Arjun/Rajesh

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