

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12671 of 2008

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Jai Narain Malick, son of Moti Lal Malick, resident of village & P.O. Deep,
Via Jhanjharpur, P.S. Madhepura, District Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Water Resources Department, Government of Bihar, Patna.
3. The Deputy Secretary, Water Resources Department, Government of Bihar, Patna.
4. The Engineer-in-Chief, Water Recourses Department, Government of Bihar, Patna.
5. The Chief Engineer, Water Recourses Department, Government of Bihar, Muzaffarpur.
6. The Superintending Engineer, Shirts Work Circle, Water Resources Department.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mrs. Jahan Ara

For the Respondent/s : Mr. Neelam Prasad, AC to GP-25

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

3 22-01-2016 By this writ application, the petitioner prays for quashing of letter no. 1872 dated 06.06.2006 of the Chief Engineer, WRD, Muzaffarpur, whereby the time bound promotion granted w.e.f. 19.05.1985, has been cancelled. The learned counsel submits that the case of the petitioner is that he has finally passed the accounts examination and as such, withdrawal of time bound promotion vide letter dated 06.06.2006, should be revoked.

Learned counsel for the State submits that the facility of time bound promotion has been withdrawn by the State

Government w.e.f. 01.01.1996 in pursuance of Finance Department's letter no. 660 dated 08.02.1999 and thereafter, the time bound promotion granted to the petitioner has been cancelled vide order dated 06.06.2006. It is further submitted by the State Counsel that the petitioner was given first time bound promotion on the condition of passing the account examination within a period of two years from the date of promotion, failing which, the same would be cancelled. The State Counsel submits that the petitioner did not pass the account examination within the prescribed period and the Department rightly cancelled his time bound promotion.

Having gone through the facts and circumstances, I find that it will be open for the petitioner place any subsequent circular relating to condoning of delay in passing of the account examination belatedly. It will be open for the petitioner to represent his case before the respondent no. 4

The writ application is accordingly disposed of.

(Samarendra Pratap Singh, J)

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