

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9799 of 2016

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Arun Kumar S/o Sri Rama Nand Singh R/o Pakri, Opposite Block Office,
Punpun PO & PS Punpun District Patna.

.... Petitioner

Versus

1. The State of Bihar through the Secretary, Road Contruction Department, Govt. of Bihar, Patna.
2. The Engineer-in-Chief-cum- Additional Secretary, Road Construction Department Govt of Bihar, Patna.
3. The Joint Secretary, Road Cosntruction Deptt. Govt. of Bihar, Patna.
4. The Deputy Secretary, Road Constrution Deptt. Govt. of Bihar, Patna.
5. The Department Promotion Committee Through the Principal Secretary Road Construction Department Govt of Bihar, Patna.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Purushottam Kumar Jha, Adv.

Mr. Avanindra Kumar Jha, Adv.

For the Respondent/s : Dr. Kamaldeo Sharma, AC to GA-11

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

4 30-03-2017 Heard Mr. Purushottam Kumar Jha, learned counsel for

the petitioner and Dr. Kamaldeo Sharma, AC to GA-11, for the

State.

Although a number of reliefs have been prayed by the
petitioner in the writ petition but substantially he prays for
appropriate direction to respondents no. 1 to 4 for granting him
promotion to the post of Executive Engineer, Road Construction
Department, Govt. of Bihar, after confirming his services with
effect from the due date.

A counter affidavit has been filed and the explanation for
delayed promotion of the petitioner is given at paragraphs 7 to 10



of the counter affidavit in which it is stated that although the case of the petitioner was put up before Departmental Promotion Committee in its meeting held on 9.5.2015 but since the services of the petitioner was not confirmed as yet, that no recommendation was made. However, the respondents in paragraph 8 of the counter affidavit do admit that vide office order No. 9 dated 17.1.2017 the service of the petitioner has been confirmed and that his case for grant of ACP would be put up before the next Screening Committee. In paragraphs 9 and 10 of the counter affidavit it is stated that the case of promotion of the petitioner to the post of Executive Engineer would be put up before the Departmental Promotion Committee. In effect thus and on principle the respondents have accepted the request of the petitioner except that no time frame has been given.

In the circumstances discussed and taking note of the stand of the respondents which prima facie satisfies the prayer made in this application, I deem it proper to dispose of the writ petition with the direction to the respondent Secretary, Road Construction Department, to take expeditious steps for placing the matter of the petitioner before the Committee concerned for consideration of his case for grant of ACP as well as to place his case for his promotion to the post of Executive Engineer before



the Departmental Promotion Committee within a maximum period of eight weeks from today, taking note of the grievance of the petitioner that in the meanwhile several juniors have been granted promotion.

The writ petition is allowed with the directions aforementioned.

(Jyoti Saran, J)

Surendra/-

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