

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.853 of 2014
IN
Civil Writ Jurisdiction Case No. 22687 of 2012**

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Chandra Shekhar Thakur, Son of Late Shaligram Thakur, Resident of Village, PO
and PS- Barari, District- Bhagalpur.

.... Petitioner-Appellant/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Science and Technology department, Govt. of Bihar, Patna.
3. The Joint Secretary, Science and Technology department, Govt. of Bihar, Patna.
4. The Director, Science and Technology department, Govt. of Bihar, Patna.
5. The Principal, Government Polytechnic, Bhagalpur.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Siyaram Shahi,, Advocate

For the Respondent/s : Mr. Mukesh Pd., AC to GP 18

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 28-07-2017

Seeking exception to an order passed by the Writ Court in
Civil Writ Jurisdiction Case No.22687 of 2012 on 30th April, 2014, this
appeal has been filed under Clause 10 of the Letters Patent.

From the facts and circumstances of the case, we find that
in the matter of grant of first and second time bound promotions under
a Scheme of the State Government, the learned Writ Court after
evaluating various aspects of the matter found that after superannuation
of the petitioner way back on 31.01.1994 and after three rounds of
litigation now the matter cannot be considered and a decision taken.
We find no error in the order passed by the learned Writ Court



warranting reconsideration.

We have gone through the records and we find that the petitioner claimed the time bound promotion which was initially granted to him. However, it was found that the first time bound promotion granted to the petitioner was illegal as he had not passed the departmental examination which was only passed by him on 28.11.1986 and, therefore, action was taken for withdrawing the time bound promotion granted to him and subsequently after his passing of the examination, the time bound promotions have been granted to him on various dates while he was in service. Seeking the time bound promotions from an earlier date, the writ petitions were filed and we find that they have been decided on merits by this Court and we find no error in the same warranting reconsideration. The appeal stands dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Sunil/-

AFR/NAFR	NAFR
CAV DATE	NA
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