

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.903 of 2015

In
Civil Writ Jurisdiction Case No. 1602 of 2014

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1. Vijendra Prasad Yadav Son of Late Nath Prasad Yadav, Retired Assistant Engineer, Zila Parishad, Bhagalpur Presently residing at Prasad Nivas Prem Nagar, At & P.O. Sabaur, Bhagalpur. Appellant

Versus

1. The State of Bihar
2. Principal Secretary, Panchayati Raj Department, Government of Bihar.
3. Bhagalpur Zila Parishad, through its D.D.C.- cum C.E.O, Zila Parishad, Bhagalpur.
4. Administrator-cum-chief Executive Officer, Zila Parishad, Bhagalpur.
5. Accountant General, Bihar.

.... Respondents

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Appearance :

For the Appellant/s : Mr. Naresh Nandan, Advocate

For the Respondent/s : Mr. Sunil Kr. Mandal, G.A.8

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

And

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

2. 28-07-2017

Heard learned counsel for the parties.

Both the grounds given by the learned Single Judge are cogent and valid grounds for dismissal of the writ application. The reason, therefore, is reproduced hereunder:

“4. I do not find any substance in the said claim for two reasons. Firstly, the petitioner cannot claim pay scale of the District Engineer because that was the promotional post from the post of Assistant Engineer against which he is said to have functioned holding substantially the post of Assistant Engineer. Secondly, the petitioner did



not raise any grievance while he was in service claiming promotion to such post or the pay scale. ”

The appeal has no merit, it is dismissed.

(Ajay Kumar Tripathi, J.)

Rajeev/-

(Rajeev Ranjan Prasad, J.)

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