

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.14835 of 2008

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Anil Kumar Singh, son of Late Devendra Prasad Singh, resident of village Chakumar, P.S. Tishauta, District Vaishali

.... Petitioner

Versus

1. The State of Bihar
2. The Secretary, Water Resources Department, Government of Bihar, Patna
3. The Commissioner – cum - Secretary, Water Resources Department, Government of Bihar, Patna
4. The Joint Commissioner, Water Resources Department, Government of Bihar, Patna.
5. The Under Secretary, Water Resources Department, Government of Bihar, Patna
6. The Chief Engineer, Central Design, Water Resources Department, Government of Bihar, Patna
7. The Executive Engineer, Dam and Gate Design, Division No. II, Water Resources Department, Government of Bihar, Patna
8. Ghanshyam Kumar, Son of Raghwendra Pd. Yadav, permanent resident of village Parmalpur, P.S + PO – Madhepura, District Madhepura at present working as Clerk, Flood Control Design Division No. 4, Water Resources Department, Anisabad, District Patna.

.... Respondents

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Appearance :

For the Petitioner : Mr. Bindhayachal Singh,
Mr. Gaurav Govind, Advocates

For the Respondents : Mr. Sanjay Prasad, AC to AAG 4

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 01-09-2017

I.A. No. 278 of 2009

The interlocutory application has been filed for correction of designation of respondent nos. 6 and 7, who have been mentioned as “Chief engineer, Water Resources Department, Govt. of Bihar, Patna” and “Executive Engineer, Water Resources Department, Govt. of Bihar, Patna” in place of correct designation of respondent nos. 6 and 7, as “Chief Engineer, Central Design, Water Resource Department, Govt. of



Bihar, Patna” and “Executive Engineer, Demand Gate Design, Division No. II, Water Resource Department, Govt. of Bihar, Patna, respectively.

2. Having regard to the nature of the prayer, the interlocutory application is allowed and the petitioner is permitted to make appropriate corrections in the array of the parties in course of the day.

CWJC No. 14835 of 2008 and I.A. No. 823 of 2017

3. The present writ petition as well as the interlocutory application have been filed for appointment of the petitioner on class III post; for payment of differential amount of salary of class III post from the date of his appointment to the date of payment; and for considering the case of the petitioner for promotion on the next higher grade i.e. on the post of Lower Accounts Clerk lying vacant in the office of the Executive Engineer, Dam and Gate Design, Division II, Water Resources Department as well as in the office of the Superintending Engineer, Canal and Canal Structure Circle, Anisabad, Patna.

4. Mr. Bindhayachal Singh, learned counsel appearing on behalf of the petitioner, submits that the main prayer in the writ petition need no longer be pressed and it would suffice, if the respondents are directed to consider the case of the petitioner for his promotion.

5. Learned counsel for the respondents appears and has been heard.



6. Having regard to the prayer as confined by the petitioner, the writ petition is disposed of with a direction to the Chief Engineer, Central Design, Water Resource Department, Government of Bihar, Patna (Respondent No. 6) to consider the case of the petitioner for promotion on the post of Lower Accounts Clerk in accordance with law expeditiously and in any event, preferably within a period of three months from the date of receipt/production of a copy of this judgment.

(Vikash Jain, J)

B.T/Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
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Transmission Date	N.A.

