

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4304 of 2010

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1. Suryadeo Prasad Singh S/O Late Ganauri Singh R/O Vill.- Dariyapur,
P.S.- Fatuha, Distt.- Patna

2. Ram Naresh Ram S/O Late Chulhan Ram R/O Vill.- Baligaun, P.S.-
Ayer, Distt.- Bhojpur

.... Petitioner/s

Versus

1. The State Of Bihar

2. The Principal Secretary Health Deptt. Govt. Of Bihar, Patna

3. The Director-In-Chief Health Services, Govt. Of Bihar, Patna

4. The District Magistrate Bhojpur, Ara

5. The Civil Surgeon Cum Chief Medical Officer Bhojpur, Ara

6. The Acmo Bhojpur, Ara

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr. (SC18)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 05-03-2018 On 28.2.2018 the case was listed and it has been recorded that if the petitioners would remain absent on the next date of hearing, the Court will dispose of the case on its merit.

Today no one appears on behalf of the petitioners.

However, learned counsel for the State is present.

In the present case, the petitioners are challenging the order the order date 12.11.2005 passed by the Civil Surgeon-cum-Chief Medical Officer, Bhojpur at Ara by which they have been brought down to Class IV post after reverting him from Class III post on the basis of the order passed in L.P.A.



No.448 of 2005 as order has affirmed the order of the learned Single Judge in group of writ petitions holding that promotion to Class III post from Class IV post from technical cadre to the non-technical cadre is ab initio void as both runs at different ladder of seniority and as such vis-versa promotion cannot be granted from Class IV post to Class III post.

Learned counsel for the State submits that they have done nothing but they have carried out the order passed in L.P.A. No.448 of 2005 and the order of L.P.A. has been tested before Hon'ble Supreme Court unsuccessfully.

In view of the aforesaid fact the present writ petition is devoid of merit and the same is dismissed.

(Shivaji Pandey, J)

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