

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17372 of 2010

=====

Ved Prakash S/O Rajendra Singh At Present Officer On Special Duty Food And
Consumer Protection Dept. Govt. Of Bihar, Patna

.... Petitioner/s

Versus

1. The State Of Bihar Through Principal Secretary, Personnel And
Administrative Reforms Department Govt. Of Bihar, Patna
2. The Commissioner-Cum-Principal Secretary, General Administration
Department Govt. Of Bihar, Patna
3. The Deputy Secretary, General Administration Department Govt. Of
Bihar, Patna
4. The Joint Secretary, General Administration Department Government Of
Bihar, Patna

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Singh, Sr. Adv.
Mr. Gyanendra Kumar Diwakar, Adv.
Mr. Nirala Kumar Singh, Adv.

For the Respondent/s : Mr. Ravi Kumar, AC to G.P. 13

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL JUDGMENT

Date: 20-06-2018

The petitioner has prayed for grant of promotion in
Junior Selection Grade with effect from 7.5.1990 in the rank of
S.D.O. and the Senior Selection Grade with effect from 1.12.2004 in
the rank of Additional District Magistrate as well as consequential
benefits from the date his juniors have been granted the same.

The learned Senior counsel appearing for the petitioner
submits that only impediment for non-grant of promotion is the
pendency of Vigilance Case No. 32 of 1986.

In view of the limited issue involved in the present case,
the present case is disposed of with a direction to the concerned



authorities to convene the meeting of the Departmental Promotion Committee and consider the case of the petitioner for promotion by following the sealed cover procedure, as envisaged in the judgment of the Hon'ble Apex Court reported in (1991)4 SCC 109 (**Union of India vs. K.V. Jankiraman & Ors.**) whereby and whereunder the respondents herein are required to hold meeting of the Departmental Promotion committee and keep the finding of the said Departmental Promotion Committee in a sealed cover as well as keep one post reserved.

It is made clear that in case the vigilance case is decided in favour of the petitioner and the petitioner is found fit for promotion, the petitioner shall be entitled to get all consequential benefits from the date his juniors have been granted promotion.

The writ petition is disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

BTiwary/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

