

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4087 of 2011

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Brahmdeo Singh S/O Late Ram Gulam Singh R/O Vill.- Narharpur, P.S.-
Jandaha, Distt.- Vaishali, Presently Residing At Mohalla- Attardah, West Of
Attardah Primary School, P.S.- Sadar, Distt.- Muzaffarpur

... Petitioner

Versus

1. The State Of Bihar
2. The Principal Secretary Road Construction Department, Government Of Bihar, Patna
3. The Engineer-In-Chief, Road Construction Department, Government Of Bihar, Patna
4. The Chief Engineer, Road Construction Department, North Bihar Wing, Darbhanga
5. The Superintending Engineer, Road Construction Department North Bihar Circle, Maripur, Muzaffarpur
6. The Divisional Commissioner, Tirhut Division, Muzaffarpur

... Respondents

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Appearance :

For the Petitioner : M/s Mnisha Singh & Roona, Advs.
For the Respondents : Mr. Prabhakar Jha, GP XXVII

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

15 20-11-2018 Heard learned counsel for the petitioner and learned
counsel appearing for the State.

The petitioner, in the present writ application, has challenged the Letter No. 1022, dated 30.03.2009, as contained in Annexure 2, and letter, dated 13.11.2009, as contained in Annexure 3, whereby the first time bound promotion, granted to the petitioner, has been cancelled and the excess payment made on account of grant of first time bound promotion has been sought to be recovered.

Learned counsel for the petitioner submits that the order had affected two more employees, who had moved this



Court in C.W.J.C. No. 1022 of 2011 and C.W.J.C. No. 4191 of 2011, which were heard analogously by this Court and by order, dated 29.06.2016 and 05.10.2016, have been allowed and the order of recovery has been quashed, wherein Annexure 3, dated 13.11.2009, has been set aside.

Accordingly, the present writ application is **allowed** in terms of the order in C.W.J.C. No. 1022 of 2011 and C.W.J.C. No. 4191 of 2011, by which Annexure 3, Memo No. 2598, dated 13.11.2009 has been set aside.

(Nilu Agrawal, J)

Shamshad/-

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