

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6745 of 2014

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1. Bashisth Pandey, Son Of Late Bishwanath Pandey, Resident Of Village & P.O. Natwar Khurd, P.S. Natwar, District Rohtas At Sasaram
 2. Ramanuj Tiwary, Son Of Late Srinath Tiwari, Resident Of Village Nawadih, P.O. Katariyan, P.S. Dawath, District- Rohtas At Sasaram
 3. Mojibullah Khan, Son Of Late- Hamidullah Khan, Resident Of Village & P.O. Jonhi, P.S. Bikramganj, District Rohtas At Sasaram

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The State Of Bihar Through Chief Secretary, Patna
3. The Principal Secretary, Human Resources, Government Of Bihar, Patna
4. The District Magistrate, Rohtas At (Sasaram)
5. The District Programme Officer (Establishment) Rohtas At (Sasaram).
6. The District Education Officer, Rohtas At (Sasaram)

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Akhileshwar Pandey, Advocate
For the Respondent/s : Mr. Krishna Kant Tiwari, AC to SC 27

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 07-09-2018

Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

2. The names of the petitioners were included in the select list for promotion under 2011 Rules but before the final decision is taken for grant of promotion, the petitioners have superannuated and as such they were not granted promotion.

3. Under the aforesaid circumstances, no positive direction can be issued in favour of the petitioners. However, liberty shall be available to the petitioners to approach the



departmental authorities for consideration and grant of notional promotion to them so that they may be granted the benefit of enhanced pensionary benefits, if any person junior to the petitioners, has been granted promotion out of the panel in which the petitioners' names were included by the respondents.

4. In case the petitioners file representation raising such grievance, the respondents authorities will dispose of the representation by reasoned and speaking order expeditiously preferably within a maximum period of four months from the date of filing such representation.

5. With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

spandey/-

AFR/NAFR	NAFR
CAV DATE	NA
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Transmission Date	

