

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 15603 of 2011

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Ramashish Paswan S/O Late Jagdish Paswan R/O Vill.- Pokharia, P.S.-Town
Begusarai, District - Begusarai

... .. Petitioner/s

Versus

1. The State Of Bihar Through Principal Secretary Panchayati Raj Department,
Bihar, Patna
2. The Commissioner, Munger Commissionary
3. The District Magistrate, Begusarai
4. The District Development Commissioner, Begusarai - Cum - Chief Executive
Officer Zila Parishad, Begusarai
5. The Director, Zila Gramin Vikas Abhikaran, Begusarai
6. The Joint Secretary Rural Development Department, Govt. Of Bihar, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr Nakul Kumar Jamuar, Advocate
For the Respondent/s : Mr Anjani Kumar, AAG IV withdraw
Mr Sanjay Kumar, AC to AAG IV

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date : 22-11-2018

Heard learned counsel for the petitioner and the
respondent-State.

2 The petitioner, being Class IV employee of the
District Rural Development Agency (for brevity, *DRDA*), has
approached this Court claiming promotion to Class III post. It is
his case that he was appointed in the DRDA at Begusarai in the
year, 1983. Relying upon a Resolution issued by the Government
of Bihar (erstwhile Personnel and Administrative Reforms
Department), as contained in Memo No K-2215 dated 11.02.1995,



he submits that he is entitled to promotion from Class IV to Class III against the 25% quota to be filled up by way of promotion. He has made his claim with reference to recommendation made by the Deputy Development Commissioner under Letter dated 03.08.1992, in favour of the petitioner.

3 Counter affidavit filed by the Rural Development Department of the Government of Bihar clearly states that the Resolution dated 11.02.1995 relates only to the State Government employees. Petitioner, being an employee of DRDA, is not entitled to claim promotion on the basis of the said Resolution. Such stand of the State is undisputed inasmuch as neither any rejoinder has been filed nor anything has been placed on record to show that the petitioner is entitled to the benefit of Resolution dated 11.02.1995.

4 In view of the aforesaid stand of the State Government, the claim of the petitioner is untenable. The writ petition is dismissed as devoid of merit.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	24.11.2018
Transmission Date	NA

