

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1037 of 2017

In
Civil Writ Jurisdiction Case No.15265 of 2008

=====

Sri Jang Bahadur Sharma, son of Late Gayan Singh, resident of Village-
Naugawt, P.S.- Ekangarsarai, District- Nalanda.

... .. Appellant

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Commissioner-cum-Secretary, Personnel and Administrative Reforms Department, Government of Bihar, Patna.
3. The Commissioner-cum-Secretary, Finance Department, Government of Bihar, Patna.
4. The Deputy Secretary, Personnel and Administrative Reforms, Government of Bihar, Patna.

... .. Respondents

=====

Appearance :

For the Appellant	:	Mr. Kumar Madhurendu, Advocate Mr. Gopal Govind Mishra, Advocate
For the Respondents	:	Mr. Suman Kumar Jha, AC to AAG-3

=====

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date : 02-05-2018

Heard counsel for the appellant and counsel for the State.

The learned single Judge has committed no error in dismissing the writ application for the simple reason that the writ petitioners started their career as a Steno-Typist. The seniority which they are asking, from the date of initial appointment is a misplaced expectation to have especially when there are other persons who had started their career on the higher post and



position and only by virtue of merger they came to be equated with Senior Personal Assistants or Private Secretaries.

Their seniority of service cannot be carried over from the date of their initial appointment which was the post of Steno-Typist for deciding their seniority as P.As. or P.S. over and above the persons who were appointed as P.As. or P.S. in the very first place. Even in their letter of appointment and engagement it is very clearly indicated that they cannot earn seniority on the basis of their past service especially when the two merged cadres were at different levels and positions.

Appeal has no merit. It is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A
Uploading Date	03.05.2018
Transmission Date	N/A

