

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14323 of 2010

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Rajendra Prasad, S/O Late Kali Ram, R/O Mohalla- Birsa Adivasi Colony
(Behind Biscouman Colony), P.O.- Guljarbagh, P.S.- Alamganj, Distt.- Patna

... .. Petitioner

Versus

1. The State of Bihar
2. The Principal Secretary, General Administration Department, Govt. Of Bihar,
Patna
3. The Deputy Secretary, General Administration Department Govt. Of Bihar,
Patna
4. The Chairman, Sone Command Area Development Authority, Sone Bhawan,
Patna
5. The Commissioner, Kosi Commissioner, Saharsa
6. The District Magistrate, Bhagalpur

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr. Md. Nadim Seraj, Advocate
For the Respondent/s	:	Mr. Subhash Prasad Singh, G.A-3 Mr. Indeshwari Pd. Mandal, A.C. to G.A.-3

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 09-05-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner has primarily sought the relief of promotion from the post of Additional Collector to the post of Joint Secretary, as having claimed that juniors have been granted the benefit of promotion.

In the counter affidavit the State has averred in paragraph no.5 that the case of the petitioner was placed before the Departmental Promotion Committee on 29.11.2010 and the petitioner has been found fit for promotion and necessary



notification will be issued after obtaining the approval of the Cabinet of the State Government and the same is under process. It will be relevant to quote paragraph no.5 of the counter affidavit, which is as under:-

5. That it is further stated and submitted that again the matter of the promotion of the petitioner was placed before the Departmental Promotion Committee on 29.11.2010 and petitioner has been found fit for promotion. The necessary notification will be issued after obtaining the approval of the Cabinet of the State Government and the same is under process.”

In view of the stand taken by the State necessary order must have been issued in favour of the petitioner. In such circumstance, there is no need to adjudicate the dispute and pass any order in the present case.

Accordingly, this writ petition is disposed of.

(Shivaji Pandey, J)

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