

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Review No.439 of 2014

In

Civil Writ Jurisdiction Case No.934 of 2002

-
-
1. Ram Dayal Ray, Son of Japan Rai, Resident of Village- Chandrahia, P.S.- Kurahani, District- Muzaffarpur.
 2. Ram Ayodhya Singh, Son of Balkhira Singh, Resident of Village- Ratanpur, P.S.- Ara Muffasil, District- Bhojpur.
 3. Chhathu Baitha, Son of Jugeshwar Baitha, Resident of Village- Husaina Chak Fatuha, P.S.- Bhagawanpur, District- Vaishali.
 4. Bharat Prasad, Son of Late Parmanand Prasad, Resident of Village- Afim Kothi, Police Station- Ara Town, District- Bhojpur.
 5. Satyanand Jha, Son of Ganga Prasad Jha, Resident of Village- Salaha, Police Station- Bahadurpur, District- Darbhanga.

... .. Petitioner/s

Versus

1. Gandak Command Area Development Agency, Muzaffarpur through its Chairman, Combined Building, Muzaffarpur.
2. The Area Development Commissioner-cum-Chairman, Gandak Command Area Development Agency, Muzaffarpur, Combined Building, Muzaffarpur.
3. The Secretary, Gandak Command Area Development Agency, Combined Building, Muzaffarpur.
4. The State of Bihar.
5. The Secretary, Department of Agriculture (Special Programme), Government of Bihar, Patna
6. The Commissioner, Tirhut Division, Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Kamala Kant Tiwary
For the Respondent/s : Mr. Satish Chandra Jha-3

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 18-07-2018 The petitioners by way of the present review petition seek review of the order dated 14.11.2013 passed in C.W.J.C. No. 934 of 2002.

I find from the order dated 14.11.2013 that liberty has been granted to the petitioners to approach the Respondents for grant of promotion.



The learned counsel for the petitioners submits that in the order under review dated 14.11.2013, the number of the writ petition, which was sought to be relied upon, has been wrongly stated and the same should have been C.W.J.C. No. 8156 of 1995.

Per contra, the learned counsel for the Respondents submits that the aforesaid writ petition bearing C.W.J.C. No. 8156 of 1995 was filed by similarly situated petitioners and the same was allowed by a judgment passed by the learned Single Judge dated 19.06.2013, however, the Respondents had filed an appeal against the said judgment bearing L.P.A. No. 359 of 2014 which was disposed of by the learned Division Bench by an order dated 02.04.2015 with a direction to the Respondents to consider the case of the similarly situated other petitioners afresh as far as their promotion is concerned. Thereafter, the case of the similarly situated other persons were considered by the respondent-authorities and rejected by an order dated 28.06.2015 which was then challenged in C.W.J.C. No. 16240 of 2015 and the same has been dismissed by the learned Single Judge of this Court by a judgment dated 19.04.2018. The said similarly situated petitioners are stated to have filed an appeal bearing L.P.A. No. 730 of 2018.



It is the contention of the learned counsel for the petitioners that since the case of the petitioners have not still been rejected, therefore, their case may be considered by the appropriate authority.

In view of the limited prayer of the petitioners, I deem it fit and appropriate to direct the Superintending Engineer, Gandak Command Area Development Agency, Muzaffarpur to consider the case of the petitioners for promotion and pass a reasoned order within a period of eight weeks from today.

With the aforesaid modification, the present review petition is disposed of.

(Mohit Kumar Shah, J)

ajay gupta/-

U			
---	--	--	--

