

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14734 of 2006

=====

Navin Kumar Mishra son of Late Sachidanand Mishra, resident of Village Narayanpur, P.S. Mani Gachhi, District Darbhanga, at present residing at of People's Cooperative Colony, Sector K-13, P.S. Patrakar Nagar, District Patna and posted as Assistant Commissioner of Excise, Patna.

.... Petitioner/s

Versus

1. The State of Bihar .
2. Excise Commissioner-cum- Secretary, Department of Excise and Prohibition, Government of Bihar, Patna.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Vishnudeo Narayan, Sr. Adv.
Mr. Manoj Kr. Manoj, Adv.

For the Respondent/s : None.

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3

28-08-2018

The learned Senior counsel for the petitioner submits that since the petitioner has retired on 31.5.2016, the petitioner is not pressing the issue of grant of regular promotion to the post of Assistant Commissioner, however, since the petitioner had worked on notional basis on the post of Assistant Commissioner, Excise w.e.f. 29.6.1994 continuously till the date of his promotion i.e. 15.4.2006, the petitioner is entitled for grant of differential amount of salary for the said period.

Having regard to the submission made by the learned Senior counsel for the petitioner, I direct the petitioner to file a representation before the respondent no.2 within a period of three weeks from today and the respondent no.2 shall examine the same



and pass a reasoned and speaking order within a period of four weeks thereafter.

It is further directed that in case the respondents find favour with the prayer of the petitioner, the consequential benefits shall be paid within a period of eight weeks thereafter.

The writ petition is disposed of on the aforesaid terms.

Since nobody has appeared on behalf of the respondents, let a copy of this order be sent to the office of respondent no.2 for necessary compliance.

(Mohit Kumar Shah, J)

BTiwary/-

U			
---	--	--	--

