

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.149 of 2015

- =====
1. Kumar Deepak Srivastava Son of late Tribhuwan Prasad Shrivastava House No.-15, Chitragupta Colony, Anisabad, Police Station Gardanibagh, District - Patna.
 2. Pankaj Kumar Son of Late Arjun Prasad Varma Resident of Mohalla and Post Office Anisabad, Police Station Gardanibagh, District - Patna.
 3. Krisna Kumar Son of Late Kapoorchand Resident of Mohalla R Block Railway Line, Road no-3, Peon Quarter No. 15 Post Office G.P.O, District Patna.
 4. Binod Kumar son of Late Lalita Mohan Prasad Resident of Mohalla Mitra Mandal Colony, Sector D, Anisabad, Police Station Gardanibagh, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary to the Government, Department of Building Construction Department, Bishwashwaraiya Bhavan, Bailey Road, Patna.
2. The Chief Electrical Engineer, Energy Department, Sichai Bhavan, Patna.
3. The Electrical Superintending Engineer, Electric Works Circle, Patna.
4. The Executive Engineer, Electrical Works Division, Patna.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Lalan Kumar Singh, Advocate
For the Respondent/s : Mrs. Archana Meenakshee, GP 6
Mr. Karandeep Kumar, AC to GP 6

=====

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 29-01-2018

Heard counsel for the petitioners and the respondents

State.

2. The grievance of the petitioners is that they have been discharging the duty as Class 3 posts in the Office of the Electrical Engineer, Electrical Works Division, Patna but they have not been granted the status of Grade 3 posts pursuant to the policy decision of



the Government Annexure 2 which is the Resolution dated 31.03.2011 of the Finance Department.

3. Counsel for the petitioners submits that the petitioners are duly eligible for the same both in terms of the period of service as also the requisite qualification. The matter has been pending since 2015 and in spite of the specific directions earlier no counter affidavit has been filed on behalf of the State.

4. Since the matter of grant of Grade 3 status/promotion to the petitioners is the matter to be considered by the authorities in light of their own policy decision noticed above, no useful purpose would be served by keeping the instant writ petition pending.

5. Counsel for the petitioner has also submitted that during pendency of the writ petition steps have been taken to give effect to the policy decision but the same has not been completed. He submits that the petitioners would file a fresh representation before the respondent no. 3, the Electrical Superintendent Engineer, Electrical Works Circle, Patna with respect to their claim for promotion/status of grade 3 in light of Annexure 3 within two weeks.

6. In view of the aforesaid submission, the writ petition is disposed off with direction upon the respondent no. 3 to dispose off the claim of the petitioners by a reasoned and speaking order within a period of three months from the date of submission of the



representation along with the copy of this order.

Prakash/-

(Madhuresh Prasad, J)

AFR/NAFR	
CAV DATE	
Uploading Date	1/2/2018
Transmission Date	

