

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11725 of 2017

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1. Birendra Pandey, Son of Chhotelal Pandey, Resident of Saristabad, Police Station- Phulwari Sharif, District- Patna.
 2. Arun Kumar, Son of Umara Prasad, Resident of Mohalla- Mahajan Toli No. 1, Ara, P.S.- Ara (Town), District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar
2. The Principal Secretary, Finance Department, Government of Bihar, Patna.
3. That Chairman, State Minority Commission, Bihar, Patna.
4. The Principal Secretary, Minority Welfare Department Government of Bihar, Patna.
5. The Joint Secretary, Minority Welfare Department, Government of Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vipin Kumar Singh

For the Respondent/s : Mr. Anirban Kundu-Sc24

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-04-2018 The petitioners by way of the present writ petition have approached this Court for directing the respondents to grant promotion from the post of *Parichari* (Group-Gha) to the post of Lower Division Clerk with all consequential benefits.

The learned counsel for the petitioners relies upon the order of the Under Secretary to the Government, Minority Welfare Department, Government of Bihar dated 16.1.2017 whereby and where under on account of non-raising of any objection, final gradation list has been issued whereunder the petitioners herein are placed at serial nos. 3 and 4.



The short submissions of the learned counsel for the petitioners is that on the basis of the said final gradation list dated 16.1.2017, the case of the petitioners be considered for promotion and a decision be taken.

Per contra, the learned counsel for the respondents has submitted that the petitioners herein have already been granted the benefit of ACP.

Having considered the rival contention of the learned counsel for the parties, I am of the opinion that an appropriate direction is required to be issued to the respondent no.4 to consider the case of the petitioners for promotion to the post of Lower Division Clerk, considering the gradation list dated 16.1.2017 and pass a reasoned and speaking order within a period of eight weeks from today.

The writ petition is disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

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