

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14814 of 2017

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Manoj Kumar, C/o K.B. Sinha, Road no - 12 D House No. 8A, West Anand
Puri, Boring Canal Road, PO & PS - Budha Colony, Patna.

... .. Petitioner

Versus

1. State of Bihar through Principal Secretary, Government of Bihar, Patna.
2. Principal Secretary, Building Construction Department, Government of Bihar,
Patna.
3. Additional Secretary, Building Construction Department, Government of
Bihar, Patna.
4. Chief Electrical Engineer, Building Construction Department, Government of
Bihar, Patna.
5. Deputy Secretary, Building Construction Department, Government of Bihar,
Patna.

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr. Rajendra Prasad Singh, Sr. Advocate Mr. Mukesh Kumar Singh, Advocate Mr. Ravi Kumar, Advocate
For the Respondent/s	:	Mr. Ranjan Kumar Singh, A.C. to P.A.A.G.-2

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL JUDGMENT

Date : 16-08-2018

Heard learned counsel for the petitioner and
learned counsel for the State.

2. In this case, the petitioner is seeking relief of
promotion to the post of Assistant Electrical Engineer in the
Building Construction Department with effect from 27.12.2010.

3. As per the petitioner different mode has been
prescribed for the appointment to the post of Assistant Electrical



Engineer, such as, 62% posts have to be filled up by direct recruits, 28% posts have to be filled up by Diploma holders and 10% posts have to be filled up by the Junior Engineer, who has acquired the qualification of A.M.I.E.

4. As per the petitioner 10% quota i.e. two posts have to be filled by the persons having qualification of A.M.I.E. Already one Arvind Kumar has been promoted to the post of Assistant Electrical Engineer and one post of Assistant Electrical Engineer is still standing vacant, though the petitioner is senior most in that category, but having been denied the promotion to the post of Assistant Electrical Engineer.

5. Already the petitioner has filed a representation to the Chief Engineer, Building Construction Department. This Court directs the Chief Engineer, Building Construction Department, to examine the claim of the petitioner for promotion with effect from 27.12.2010, as has been mentioned in the representation of the petitioner and if it is found that the petitioner is entitled to the benefit of promotion, needless to say that, the same would be granted to the petitioner as per the law. The entire exercise should be completed within a period of three months from the date of receipt/production of a copy of this order.



6. With the aforesaid observations and directions, this writ petition is disposed of.

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A.
Uploading Date	20.08.2018
Transmission Date	N/A.

