

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1759 of 2017

In

Civil Writ Jurisdiction Case No.632 of 2016

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1. Abhishek Kumar, S/o late Chhote Lal, Resident of C/o Arun kumar Gupta, C.K. Road, Mahajan Toli, No. 2, Chowk- Ara, District- Bhojpur, at present resident of Jai Ram Bazar Lal Chowk, Khagaul, District- Patna- 801105.
 2. Suraj Kumar, S/o Late Shiv Prasad Yadav, resident of Karbigahiya, Dr. Ramadhar Gali, Near Patna Junction P.O.- G.P.O. P.S.- Jakkanpur, District- Patna- 800001.
 3. Niranjana Kumar, S/o Late Rampravesh Ram, Resident of Village + P.O. + P.S.- Dhanarua (Block), District- Patna- 804451.
 4. Akshaya Lal, S/o Late Sonamatiya and Late Ram Kishun Ram, resident of Defence Colony, Water Tower Campus, P.O.- Lohianagar (Kankarbagh), District- Patna- 800020.
 5. Ajay Prasad, S/o Late Bhurwa Paswan, Resident of Mohalla- Rampur Tapowan Colony, P.O.- Mahendru, P.S.- Bahadurpur, District- Patna- 800006.

... .. Appellant/s

Versus

1. Patna Municipal Corporation through its Mayor, Maurya Lok Budh Marg, Patna.
2. Municipal Commissioner, Patna Municipal Corporation , Maurya Lok, Budh Marg, Patna.
3. Additional Municipal Commissioner, Patna Municipal Corporation , Maurya Lok, Budh Marg, Patna.
4. The Mayor -cum -Chariman, Compassionate Committee, Patna Municipal Corporation , Maurya Lok, Budh Marg, Patna.
5. The Dy. Mayor, Patna Patna Municipal Corporation , Maurya Lok, Budh Marg, Patna.
6. The Member Standing Compassionate Committee, Patna Municipal Corporation , Maurya Lok, Budh Marg, Patna.
7. Additional Municipal Commissioner-cum-Chief Accounts Officer, Patna Municipal Corporation , Patna.
8. Secretary, Patna Municipal Corporation, Patna.
9. Section Officer, Patna Municipal Corporation, Patna.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Chandra Shekhar Anand
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER



(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

2 15-05-2018 There cannot be compassion within compassion. If appointment on Class-IV post has been accepted by the appellants and they have been working on the said post, they cannot now agitate their case that their appointment could have been considered on Class-III post, as after so many years, to be appointed on Class-III post, would also amount to giving them promotion indirectly on the higher scale. If the appellants have merit, they can compete with general candidates and beget a much higher post and responsibility than what they are at present.

Appeal has no merit. It is dismissed, accordingly.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

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