

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3512 of 2019

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Devendra Kumar Jha, Son of Late Kali Prasad Jha Resident of Saryug Complex, Flat No.407, Gosain Tola More, P.S.- Patliputra, District- Patna (Bihar)

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Scheduled Caste and Scheduled Tribe Welfare Department, Government of Bihar, Patna
2. Secretary, Scheduled Caste and Scheduled Tribe Welfare Department, Government of Bihar, Patna
3. Director, Scheduled Caste and Scheduled Tribe Welfare Department, Government of Bihar, Patna
4. Joint Secretary, Scheduled Caste and Scheduled Tribe Welfare Department, Government of Bihar, Patna
5. Deputy Director, Welfare, Munger Division, Munger at District- Munger
6. District Welfare Officer, Lakhisarai, District- Lakhisarai

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Raju Giri
For the Respondent/s : Mr. Krishna Kant Singh, AC to SC-10

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 25-02-2019 The petitioner has approached this Court for a direction to the authorities to grant promotion to him on the post of Sub Divisional Scheduled Caste & Scheduled Tribe Welfare Officer with effect from 16.01.2014 as persons who are juniors to him and who have been named in the petition have been promoted to the aforesaid post without there being any reason for the petitioner to have been left out.

It has been submitted on behalf of the petitioner



that in his estimation, there was and is no impediment in the petitioner being promoted to the aforesaid post as even the requirement of passing the departmental examination in the case of the petitioner has been waived as he has already crossed the age of fifty years. Thus, there is nothing adverse in the way of the department in giving promotion to the petitioner. His not being promoted to the aforesaid post only tantamounts to discriminatory treatment to him which is not permissible.

The petitioner, therefore is directed to make a detailed representation before the Secretary of the Scheduled Caste & Scheduled Tribe Welfare Department, Government of Bihar, Patna (respondent No. 2) within a period of two weeks from today, which representation shall be disposed off by the concerned respondent within a further period of four weeks positively by a reasoned order. Any delay at the end of the concerned respondent would be viewed seriously and if the claim of the petitioner is found to be tenable, necessary sequel order ought to be passed within the aforesaid period.



With the aforesaid observation/direction, the writ
petition is disposed off.

(Ashutosh Kumar, J)

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