

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.10688 of 2016**

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1. Hasan Ahmad Warsi, son of Mr. Saif Ahmad resident of village, P.O. and P.S. Habibpur, District-Bhagalpur, presently working as a Process Server Civil Court, Chapra in the District of Saran.
2. Vikash Kumar Thakur, son of Shree Satyanand Thakur, resident of Flat No.301, Lalita Nikunj Apartment, B Area, Mithapur, P.S. Jakanpur, Town and District Patna, Presently Working as a Process Server in Civil Court Chapra
3. Niraj Kumar Sinha, son of Sri Narendra Prasad resident of Mohalla New Area, Babu Bazar, at, P.O. and P.S. and P.S. Ara District Bhojpur Presently Posted as a process Server in Railway Court Sonapur Within the Judgeship of Chapra
4. Chandan Kumar son of Sri Lakhi Prasad resident of village Pipra P.O. Mustafabad ,P.S. Goreyakothe, District Siwan Presently Posted as a Process Server in Civil Court Chapra.
5. Indradeo Das, son of Shri Deolal Ravidas, resident of village Sahpur, P.O. Dibra, P.S. Phulwarisarif, District Patna Presently Working as a peon in the Judgeship of civil Court Chapra
6. Shashi Bhushan S/o Upendra Sharma resident of village-Kutri, P.S. Warsaliganj, District Nawada
7. Gazala Tabassum Daughter of Nazmul Hoda resident of Chhota Telpa, P.O. and P.S. Town Chapra) District Saran, Presently Working as a peon in the civil Court Chapra
8. Firoz Salim, son of late Salim Pravez resident of Harun Manzil, Harun Lane, Mhalla Sahebgnj, P.S. Chapra District Saran Presently Working as a peon in Civil Court Chapra

... .. Petitioners

Versus

1. The State of Bihar through the Principal Secretary, General Administration Department, Government of Bihar, Patna.
2. The High Court of Judicature at Patna through the Registrar General Patna High Court.
3. The District Appointment Committee, Civil Court, Saran at Chapra through



its Chairman

4. The District and Sessions Judge Saran at Chapra

... .. Respondents

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**Appearance :**

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| For the Petitioner/s | : | Mr. Dr. Mayanand Jha, Advocate |
| For the Respondent/s | : | Mr. Dhurjati Kr.Prasad, G.P.-7 |
| For the High Court   |   | Mr. Mrigank Mauli, Advocate    |
|                      |   | Mr. Sanjay Kumar, Advocate     |

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**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**  
**ORAL ORDER**

2      07-08-2019                      Heard learned counsel for the petitioners, learned  
counsel for the State as well as learned counsel for the High  
Court.

In this case, only grievance has been raised by the petitioners that the respondents may be directed to start the process of in-house promotion from Class-IV to Class-III posts in terms of Rule-8 of the Bihar Civil Court Staff (Class III and Class IV) Rules, 2009, wherein 25% posts have been reserved for Class IV employees. The petitioners are Class-IV employees and claiming the promotion to Class-III posts.

The seniority cannot be basis for promotion, but it is subject to passing the test conducted by the Civil Court for promotion from Class-IV post to class-III posts. If such examination for promotion from Class-IV posts to Class-III posts is not conducted, then the same should be conducted expeditiously and the petitioners will be allowed to participate



in the examination, if they are selected and promoted, their seniority will be decided in terms of the prevailing Rules.

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

**(Shivaji Pandey, J)**

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