

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5883 of 2015

1. Sri Rajendra Yadav and Ors sonof Late Guneshwar Yadav, Resident of Village- Rahunani, Police Station- Bangaon, District- Saharsa.
2. Sri Rabindra Kumar, son of Late Mahavir Yadav, resident of Village- Hanuman Nagar, Police Station- Saur Bazar, District- Saharsa.
3. Sri Chandra Bhushan Kumar son of Late Ganga Prasad Yadav, Resident of village Maheshpur, P.S. Sonar Bazar, District Saharsa.
4. Md. Abdul Quadir, son of Late Abdul Hafiz resident of village Ghapri, P.S. Maheshi, District Saharsa.
5. Sri Narayan Rishideo, son of Late Surendra Rishideo, Resident of village Basti Bharnar, P.S. Barha District Saharsa.
6. Punam Devi, wife of Late Rajendra Mishra resident of village Panchgachiyar, P.S. Bihara, District Saharsa.
7. Sri Shambhu Yadav, son of Late Jalam Yadav, Resident of village Shashai P.S. Shashai, District Saharsa.
8. Sri Dinesh Prasad Yadav son of Late Ganga Pd. Yadav, resident of village Marijhal, P.S. Cheriya Bariyarpur District Begusarai.
9. Sri Bidya Nand Sah, son of Sri Dev Nr. Sah resident of village Chansipatti, P.S. and District Supaul.
10. Sri Umesh Paswan son of Late Kamal Paswan, resident of village Karnapur P.S. and District Supaul.
11. Sri Ranjeet Pd. Singh son of Late Surendra Pd. Singh, resident of village Bajitpur P.S. Triveniganj, District Supaul.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Agriculture, Production Commissioner, Govt of Bihar, Patna.
3. The Director Adm, Agriculture Department, Bihar, Patna.
4. The Joint Agriculture Director, Koshi Division, Saharsa.
5. The District Magistrate, Saharsa. null null
6. The District Magistrate Supaul.
7. The District Magistrate Madhepura.
8. The District Agriculture Officer, Saharsa.
9. The District Agriculture Officer, Supaul.
10. The District Agriculture Officer, Madhepura.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Singh, Advocate
Mr. Nirala Kumar Singh, Advocate



For the State : Mr.S. Raza Ahmad, AAG 5
Mr. AC to AAG 5

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL JUDGMENT

Date : 26-02-2019

Heard counsel for the petitioners and the respondent State.

2. Petitioners are Grade IV employees claiming promotion as Clerks under a Government resolution of the Finance Department dated 31.03.2011 bearing notification no. 2937.

3. The counter affidavit filed by respondent no. 4 reveals that before an exercise can be undertaken for considering the petitioner's claim a roster clearance is required to be obtained from the authorities which is a pre-condition to determination and finalization of seniority of the candidates. Unless seniority is determined the petitioners' claim cannot be considered.

4. Correspondence has been placed on record to show that steps are being taken to finalize the seniority/ vacancy position and all other modalities for consideration of the petitioners claim in light of the Finance Department's notification dated 31.03.2011.

5. Since the claim of the petitioners has been pending since quite sometime, this Court would only observe that the respondent authority should make all endeavors to give finality



to the issue. The authorities therefore, are directed to take appropriate steps for finalizing the roster/vacancy position and all other modalities for consideration of the petitioners claim expeditiously and without any undue delay.

6. Writ petition is disposed off.

(Madhuresh Prasad, J)

Prakash/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

