

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6949 of 2015

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Md. Reyazuddin Ahmad son of Late Md. Sirazuddin Ahmad resident of Shekhawat Hussain Lane, Near Picture Palace Cinema, Khalifabag, P.S.-Kotwali, in the Town and District of Bhagalpur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Chief Secretary, Government of Bihar, Patna.
3. The Principal Secretary, Revenue and Land reforms Department, Government of Bihar, Patna.
4. The Secretary, Revenue and Land reforms Department, Government of Bihar, Patna.
5. The Member, Board of Revenue-cum-President Departmental Promotion Committee, Land Reforms Department, Government of Bihar at Patna
6. The Departmental Promotion Committee, Land Reforms Department, Government of Bihar at Patna
7. The Chairman, Bihar Public Service Commission, Bihar at Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Diwakar Upadhyaya
For the Respondent/s : Mr.Ashish Kumar Lal, AC to GA 5

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL JUDGMENT

Date : 16-04-2019

Writ petition has been filed for a direction upon the respondents to consider grant of notional promotion to the petitioner on the post of Additional Collector, Land Ceiling or on any equivalent post from or after 25.8.2010 with all consequential monetary benefits.

In the writ petition, an averment has been made at para 11 that petitioner had earlier moved this court in C.W.J.C. no. 2566 of 2014. The order of the writ court passed in the said proceeding



is, however, not on record. C.W.J.C no. 2566 of 2014 was disposed off on 30.6.2014. In the said writ petition also petitioner had claimed for promotion to the post of the Deputy Collector of Land Revenue or on any other similar senior post from or before 25.8.2010. This court had allowed the petitioner's liberty of making a representation in support of his claim before respondent authority. The Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna (respondent no.2) was obliged to dispose off the petitioner's claim within six months. The order of the court was dated 30.6.2014. Whether there has been any consideration subsequent thereto or not is still not on record. Nature of the claim in the instant proceeding is similar that was raised in earlier writ petition.

Since there is already an order of this court dated 30.6.2014 on the petitioner's earlier writ petition bearing C.W.J.C no. 2566 of 2014 to consider grant of promotion to the post of Deputy Collector or on any other similar senior post with effect from the same date i.e. 25.8.2010 as has been claimed in the instant proceedings, this court would observe that successive writ petition for the same relief would not be maintainable.

As claim of the petitioner had already been considered and earlier writ petition was disposed off with direction in favour



of the petitioner, this writ petition is dismissed. Petitioner would be at liberty to avail his remedy for ensuring compliance of the direction issued by this court in C.W.J.C no. 2566 of 2014.

(Madhuresh Prasad, J)

s.hassan/-

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