

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12680 of 2014

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Arun Kumar Son of Late Lala Mahto Resident of Shinghol, P.S.- Sarmera,
District- Nalanda.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director Health Department, New Secretariat, Bailey Road, Patna.
3. The Chief Medical Officer, Nalanda.
4. The District Magistrate, Nalanda.
5. The Block Medical Officer, Ashtama, Nalanda.
6. The Medical Officer, Onda Add. Prathmik Midical Center, Onda.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Uday Prasad Singh
For the Respondent/s : Mr. Gp18- Vivek Prasad

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 06-05-2019 Counsel for the petitioner and counsel for the respondent-
State.

Counsel for the petitioner has claimed benefit of promotion from grade 4th to grade 3rd post. It is submitted by the petitioner's counsel that other persons, namely, Azam Ahmad, Randhir Kumar and Ashok Kumar who had earlier been working as class IV post were granted promotion to grade III/ clerk grade on the basis of matriculation certificate whereas petitioner's claim on the basis of matriculation requisite qualification has been rejected.

To assert that matriculation is the requisite qualification for promotion to grade 3rd post, petitioner's counsel relies upon Resolution dated 21.01.2010 bearing no. 630 issued by the Finance Department.



The same does not support the case of petitioner. From perusal of the same, it is apparent that qualification of matriculation has been prescribed therein for grade GHA class IV post. Same does not support petitioner's contention that matriculation was prescribed/ requisite qualification for appointment of grade 3rd post.

Specific assertion has been made in the counter affidavit that since petitioner did not possess minimum qualification of intermediate or equivalent which was mandatory for appointment of class III post, his candidature was disqualified. It is the specific stand based on the counter affidavit that all the said persons cited by the petitioner were having the aforesaid requisite qualification of Intermediate with knowledge of computer typing and operating, so they were granted promotion as class III post. None of said three persons have been granted promotion on the basis of matriculation qualification, as has been asserted by the petitioner. Specific assertion in the counter affidavit has not been denied or disputed by the petitioner by filing rejoinder. No case for interference is made out.

Writ petition is dismissed.

(Madhuresh Prasad, J)

s.hassan/-

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