

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.784 of 2016

Madan Mohan Kumar son of Late Rajeshwar Prasad Singh, Resident of village- Cheran, P.S.- Harnaut, District- Nalanda, at present posted as Superintending Engineer, PHED Circle, Ara

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna
 2. The Principal Secretary, General Administration Department, Government of Bihar, Patna
 3. The Principal Secretary, PHED, Secretariat, Patna
 4. The Joint Secretary, General Administration Department, Government of Bihar, Patna
- Respondents

Appearance :

For the Petitioner	:	Mr. Ramakant Sharma, Advocate Rajesh Kumar, Advocate
For the Respondents	:	Mr.Sushil Kr.Singh, AC to AAG 10

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

- 4 10-01-2019 After some arguments, learned counsel appearing for the petitioner submits that in light of the pronouncement of the Division Bench in case of the **State of Bihar and others Vs. Narendra Kumar and others, reported in 2015(3) PLJR 593** the authorities would be obliged to revise the gradation list which has been placed on record by the State vide Letter No. 419 dated 9.9.2013(Annexure A series to the counter affidavit) . The petitioner in the said list has been shown below the two persons whom he claims are actually junior to him but have been placed above him being members of the reserved category. He submits that in the light of the said Division Bench judgment the said two persons would not be entitled to such benefit by virtue of their being members of reserved category. Authorities



are therefore obliged to revise the seniority list taking into consideration the pronouncement of the Division Bench. It is submitted that the petitioner will be filing a comprehensive representation placing on record the *inter se* position/seniority of the petitioner vis-a-vis other persons so as to facilitate decision by the Principal Secretary, PHED, Secretariat, Patna (respondent no.3) in light of the pronouncement of the Division Bench in the case of the **State of Bihar and others Vs. Narendra Kumar and others.**

In view of the aforesaid submissions, this writ petition is disposed of with liberty to the petitioner to approach respondent no.3.

(Madhuresh Prasad, J)

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