IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11869 of 2017

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1. Gopal Chandra Prasad and Anr Son of Late Suresh Chandra Prasad, Resident of Mohalla- New Jakkanpur, Dr. N.C. Ghosh Lane, P.S.- Jakkanpur, District- Patna.
2. Uma Shankar Singh, Son of Late Vyas Singh, Resident of Mohalla- Alwalpur, P.S.- Gaurichak, District- Patna.

... ... Petitioner/s

Versus

1. Patna Municipal Corporation
2. Patna Municipal Commissioner, Patna Municipal Corporation, Maurya Lok, Budh Marga, Patna.

... ... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar Singh, Adv
For the PMC	:	Ms. Archana Pallear Khopde, Adv

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 21-01-2019

A counter affidavit has been filed today during the course of hearing of this case.

2. Let it be taken on the record.

3. The petitioners had earlier approached this Court vide C.W.J.C. No. 7658 of 2007 which was heard along with other batch cases for a grievance that even though they were serving as Tax Collectors from 1991 but they were not promoted to the higher posts.

4. A Bench of this Court, vide order dated 27.03.2014 directed the Municipal Commissioner/Administrator, Patna Municipal Corporation to consider the cases of the

petitioners and other similarly situated employees for promotion on the higher posts in accordance with their seniority and the vacancies available. It was further directed that while considering such promotion, the authorities in question will keep in mind the direction of the Court in the case of *Kapildeo Prasad & Ors Vs. Patna Municipal Corporation reported in 1997(1) PLJR 456*.

5. Pursuant to the aforesaid direction, the cases of the petitioners were considered but the claim for promotion was rejected vide order dated 03.09.2016 as contained in Memo No. 9552 which is sought to be challenged in the present writ petition.

6. The claim of the petitioners for being promoted to the post of Revenue Officer has been rejected primarily on the ground that in the line of promotion, there could not be any direct promotion to the Revenue Officer from the post of Tax Collector as there was an intermediate higher post of Revenue Inpector. However, the order has clarified that the post of a Tax Collector and Revenue Inspector are in the same pay scale, grade pay and pay band.

7. As disclosed in the counter affidavit, the petitioners have now been promoted to the post of Revenue Inspector and the stand of the Corporation further is that against the three vacancies in the post of Revenue Officer, the candidature of the petitioners shall be considered within a period of three months.

8. With the aforesaid stand of the Corporation, the grievances of the petitioners stand redressed.

9. It is expected that efforts shall be made by the Corporation to fill in the vacant post, as has already been declared in the counter affidavit, the candidature of the petitioners shall be considered, for sure, for promotion to the post of Revenue Officer.

10. Thus, no further direction/order is required to be passed in the present petition.

11. The writ petition stands disposed off.

(Ashutosh Kumar, J)

Shageer/-

AFR/NAFR	NAFR
CAV DATE	NA
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