

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11034 of 2019

Dr. Sohan Prasad Choudhary Son of Late Bhola Chaudhary Resident of Flat No. 404, Ayodhya Apartment, Sinha Library Road, Near Bihar School Examination Board, Police Station- Kotwali, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Health Department, Government of Bihar, New Secretariat, Patna.
2. The Principal Secretary, Health Department, Government of Bihar, New Secretariat, Patna.
3. The Special Secretary to the Government, Health Department, Government of Bihar, New Secretariat, Patna.
4. The Joint Secretary to the Government, Health Department, Government of Bihar, New Secretariat, Patna.
5. The Under Secretary to the Government, Health Department, Government of Bihar, New Secretariat, Patna.
6. The Deputy Secretary, Health Department, Government of Bihar, New Secretariat, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sanjeet Kumar
For the Respondent/s : Mr.Vasant Vikas, AC to GP12

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 18-07-2019 Heard counsel for the petitioner and counsel for the respondents-State.

Counsel for the petitioner submits that claim for shifting back date for promotion from the date on which he became eligible for the same, and from which date he has been officiating is required to be considered by the authorities, in view of various decisions of this court in the case of other similarly situated. As a result of such consideration, he would be entitled to consequential benefit of promotion as Associate Professor and Professor.



Representation earlier filed by the petitioner before the Deputy Secretary-cum- In-charge Officer, Health Department is not accompanied by copy of order passed in various writ petitions. He therefore, prays that he may be given liberty to approach the respondent-authorities annexing copy of judgment of this court relied upon by the petitioner.

Since consideration has to be done by the authorities themselves, pendency of instant proceedings would be futile.

Having regard to the prayer, writ petition is disposed of with liberty to the petitioner to make a detailed representation in respect of his claim along with copy of judgment of this court relied upon. If such representation is filed before respondent no.4 (The Joint Secretary to the Government, Health Department, Patna), the same shall be disposed of by reasoned and speaking order in accordance with law.

Petitioner should file detailed representation within two weeks. If the same is done, authority should consider the same and dispose it of within a period of eight weeks thereafter.

Writ petition stands disposed of.

(Madhuresh Prasad, J)

s.hassan/-

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