

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11661 of 2019

1. Sriraman Singh, aged about 55 years, Gender-Male, Son of Late Parmanand Singh, Resident of Road No. 6, Mahavir Colony, Sai Chak, Beur, PS- Beur, District- Patna at present posted as Chief Reporter, Bihar Vidhan Sabha, Secretariat.
2. Rajesh Kumar, aged about 57 years, Gender- Male, Son of Late Banwari Sharan, Resident of Damaria, PS- Anisabad, District- Patna, at present posted as Senior Reporter, Bihar Vidhan Sabha Secretariat.
3. Satyendra Kumar Singh, aged about 51 years, Gender-Male, Son of Shri Dewak Prasad Singh, Resident of Mohalla Chandpur Bela, PS- Jakkanpur, District- Patna at present posted as Senior Reporter, Bihar Vidhan Sabha Secretariat.
4. Madhup Kumar, aged about 54 years, Gender- Male, Son of Rishikesh Swarnkar, Resident of Gurhatta, Patna City, PS- Khakjekalan, District- Patna at present posted as Senior Reporter, Bihar Vidhan Sabha Secretariat.
5. Azad Kumar, aged about 52 years, Gender- Male, Son of Late Hari Narayan Sah, Resident of New Yarpur, PS- Gardanibagh, District- Patna at present posted as Senior Reporter, Bihar Vidhan Sabha Secretariat.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Govt. of Bihar, Patna.
2. Bihar Vidhan Sabha, through its Secretary.
3. The Secretary, Bihar Vidhan Sabha.
4. The Principal Secretary, Department of Finance, Govt. of Bihar, Patna.
5. The Principal Secretary, Parliamentary Affairs Department, Govt. of Bihar, Patna.
6. The Additional Secretary, Parliamentary Affairs Department, Govt. of Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Bishnu Kant Dubey, Adv.
For the Respondent/s : Mr. Anshuman Singh, AC to AG.

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

2 31-07-2019 Heard the parties.



This is a misconceived writ petition for merely because the rule does not provide for a promotional avenue that the entire validity of the Bihar Vidhan Sabha, Secretariat (Recruitment and Service Condition) Rule, 2018 has been questioned. According to the petitioner there is no adequate opportunity to the petitioner for promotion in the rules.

We fail to appreciate as to how an absence of avenue of promotion to the petitioner, would render the rule invalid in its entirety where neither the rule is shown to be in conflict with the constitutional guarantee nor the parent Act, if any.

The writ petition is dismissed.

(Jyoti Saran, J)

(Partha Sarthy, J)

Anjula/-

U			
---	--	--	--

