

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13915 of 2019

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Suresh Prasad Rai Son of Late Bhuneshwar Rai R/o Village-Rupapokhar, P.O. Hethuaa Rajpur, P.S. Rajpur, Barupur, District-Buxar

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Agriculture, Government of Bihar, Patna
2. The Principal Secretary General Administration Department, Government of Bihar, Patna
3. The Principal Secretary Department of Agriculture, Government of Bihar, Patna
4. The Director Bihar State Seed and Organic Certification Agency, Mithapur, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Raj Kumar, Advocate Mr. Praveen Kumar
For the Respondent/s	:	Mr. Chitranjan Sinha (PAAG2) Mr. Shailendra Kumar, AC to PAAG-2

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 15-07-2019 Heard the learned counsel for the petitioner and

the State.

The petitioner, who is a Class-IV employee in Bihar State Seed & Organic Certification Agency, Mithapur, Patna, seeks a direction to the respondent authorities to afford him promotion on the post of Class-III from the date when the same became due to him and which has been accorded to other employees under the similar circumstances.

It has been submitted on behalf of the petitioner



that he joined the aforesaid post on Class-IV in the Agency on 15.01.1981 and worked as Laboratory Peon. Later, a Circular of the Finance Department permitted the promotion to such Class-IV employees to Class-III post. Based on such resolution of the Finance Department, many persons working on Class-IV post were recommended for and promoted to Class-III post. The case of the petitioner also was considered and there was a favourable noting of the department. Later, at the level of the Director, the decision with respect to granting promotion to the petitioner on Class-III post was stayed till further orders. The aforesaid decision of stay was taken in the year 2014, which according to the petitioner was withdrawn in the year 2016. Thereafter, the petitioner again made a representation for redressal of his grievance, namely, his promotion to Class-III post, before the Director, Bihar State Seed & Organic Certification Agency, Mithapur, Patna in the year 2016, which has till date been left unresponded.

Learned counsel for the petitioner submits that there is no impediment in the Agency giving promotion to



the petitioner from Class-IV to Class-III post to which the petitioner is entitled.

The petitioner, under the aforesaid circumstances, is directed to make a fresh representation before the Director, Bihar State Seed & Organic Certification Agency, Mithapur, Patna (Respondent No. 4) within a period of three weeks, who, on receipt of the same, shall pass a reasoned order in accordance with law, within a further period of eight weeks thereafter. If the claim of the petitioner is found to be tenable, necessary sequel order shall be passed / caused to be passed.

With the aforesaid observation / direction, this petition stands disposed off.

(Ashutosh Kumar, J)

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