

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14276 of 2019

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Awadhesh Thakur S/o Late Madan Thakur Resident of Kulhara,P.S.
Kalyanpur,Dist.Samastipur at present posted at Cook (Class IV Employee in
Referral Hospital Raghapur), P.S. Raghapur,Dist.Supaul

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary,Department of Health,
Govt. of Bihar,Patna
2. The Director(Administration), Department of Health,Govt. of Bihar,Patna
3. Regional Deputy Director, Health,Koshi (Saharsa)
4. Civil Surgeon cum Chief Medical Officer, Referral Hospital,
Supaul,Dist.Supaul.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad
For the Respondent/s : Mr. Ajay Bihari Sinha (GA-8)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 18-07-2019 The petitioner seeks a direction to the

concerned respondents to consider promoting the

petitioner from Class-IV to Class-III post of Lower

Division Clerk under fifteen percent quota as the

petitioner has all the qualification for being promoted

from Class-IV to Class-III post.

The learned advocate for the petitioner has

drawn the attention of this Court to a communication

made by the Director-in-Chief, Health Services, Bihar,



Patna to all the Civil Surgeons of the State of Bihar and Principals and Superintendents of various medical colleges to ensure updating of the records and roster clearance within thirty days for the purposes of promoting Class-IV employees to Class-III under fifteen percent quota in tune with the notification of the General Administration Department, Government of Bihar dated 23.03.2011.

The rider in the aforesaid circular is that any person having 10+2 degree working on the Class-IV post would be promoted to Class-III post, provided other conditions are satisfied.

It has been submitted on behalf of the petitioner that pursuant to the aforesaid circular of the General Administration Department and the direction of Director-in-Chief, Health Services, Bihar, several such employees in other districts have been promoted from Class-IV to Class-III post, as for example in Araria, about which reference has been given in the writ



petition.

The petitioner seeks a direction that in the district of Supaul also, the Civil Surgeon, Supaul ought to initiate the process by promoting such Class-IV employees to Class-III, subject to their entitlement and qualification for being promoted.

The petitioner, therefore is directed to make a representation before the Civil Surgeon-cum-Chief Medical Officer, Supaul (respondent No. 4) within a period of four weeks from today, ventilating his grievance, who, on receipt of the same shall have the facts verified and pass a reasoned order in accordance with law within a further period of six weeks thereafter. If the circular of the General Administration Department and the direction of the Director-in-Chief, Health Services, Bihar is that Class-IV employees be promoted to Class-III post, process ought to be initiated for such promotion as has been done in other neighbouring districts.



With the aforesaid observation/direction, the
writ petition stands disposed of.

(Ashutosh Kumar, J)

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