

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17931 of 2019

Dr. Bindeshwari Pd. Shrivastva, Son of late Jang Bahadur Prasad, Resident of Gayatri Nagar near Town hall, P.S. Sadar, District- East Champaran at Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Secretary, Animal and Fisheries Resources Department, Govt. of Bihar, Patna.
3. The Secretary, Finance Department, Bihar, Patna.
4. Deputy Secretary, Animal and Fisheries Resources Department, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ram Hriday Prasad, Advocate
		Ms. Maruti Kumari, Advocate
For the Respondent/s	:	Ms. Prakritita Sharma, AC to SC-25

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 24-10-2019 Heard learned counsel for the parties.

2. The petitioner was a member of Bihar Health Service. He had retired after attaining the age of superannuation in the year 1993. It is the petitioner's case that he was entitled for super-time scale with effect from 17.07.1990. His case along with several other similarly situated persons was considered by the Departmental Promotion Committee in 2015. The Departmental Promotion Committee did recommend grant of super-time scale to the petitioner with effect from 17.07.1990 in its meeting held on 12.01.2015.



3. It is the petitioner's grievance that till date he has not been given the benefits arising out of recommendation of the Departmental Promotion Committee.

4. In my opinion, if there is any recommendation made by the Departmental Promotion Committee, it was incumbent upon the competent authority to take a decision in this regard.

5. Considering the nature of relief, which the petitioner is seeking, this application is disposed of with direction that let a decision be taken by the respondents-State of Bihar on the recommendation made by the Departmental Promotion Committee, as asserted by the writ petitioner, within a period of two months from the date of receipt/production of a copy of this order. If decision is taken in favour of the petitioner on the basis of recommendation of the Departmental Promotion Committee, the petitioner shall be paid his all consequential benefits including arrears of salary and pensionary benefits within a period of four months thereafter.

(Chakradhari Sharan Singh, J)

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