

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.174 of 2018
In
Civil Writ Jurisdiction Case No.2033 of 2017

Bihar State Commercial Taxes Employees Association, Through Its General
Secretary Sri Murari Prasad Petitioner/s

Versus

The State Of Bihar Through Commissioner Cum Principal Secretary,
Commercial Taxes Department, Government Of Bihar, Patna & Anr
... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Siddhartha Prasad
For the Respondent/s : Mr.Anil Kumar Sinha - Ga 1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 04-01-2019 Heard learned counsel for the petitioner and the
counsel appearing o behalf o the opposite parties.

While disposing of the writ petition on 15.2.2017 the
following direction has been issued which is quoted
hereinbelow:-

“Defect is ignored.

**The petitioner claims to be a
registered Association of Bihar State
Commercial Taxes Employees.**

**It is contended that though, vide letter
No. 516 dated 2.2.2007, 72 posts of clerk and 152
posts of Upper Divisional Clerk-cum-
Accountant have been created and sanctioned
but promotions are not being given to the
concerned and the ad hoc arrangement is
continuing since long, i.e., whenever the Head
Clerk retires the charge thereof is given to
another person. The petitioner claims that it has
filed a representation through its Secretary**



dated 22.6.2016 as contained in Annexure 13/1.

Accordingly, this writ application stands disposed of with a direction to the respondent no.2, the Commissioner-cum-Principal Secretary, Commercial Taxes Department, Government of Bihar, Patna, to take a decision upon the representation of the petitioner in accordance with law expeditiously preferably within a period of three months from the date of receipt/production of a copy of this order.”

Mr. Prasad submits that the opposite parties have reduced the pay-scale and status of the petitioner in the garb of deciding the representation. Such action of the opposite parties is gross contempt.

Having regard to the direction issued by this Court, the Court is not inclined to grant any further indulgence. However, liberty shall be available to the petitioner to challenge the same in appropriate proceeding.

With the aforesaid, the present application stands disposed of.

(Anil Kumar Upadhyay, J)

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