

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21302 of 2019

=====

Mukesh Kumar Verma, S/o Parasnath Verma, Resident of Ward no.16,
Village-Sherpur, P.S.-Warsaliganj, Dist.-Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Additional Chief Secretary, General Administration Department, Govt. of Bihar, Patna.
3. The Under Secretary, General Administration Department, Govt. of Bihar, Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar Upadhyay, Adv.
For the Respondent/s : Mr. H.S. Sundaram, AC to SC-8

=====

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 02-12-2019 Heard learned counsel for the parties.

2. Following is the relief which the petitioner is seeking in the present writ application :-

“This writ application is being filed for direction to the respondents authorities to grant promotion to the petitioner after making necessary correction in the gradation list of Seniority in which the date of joining has erroneously been written as 12.07.2010 in place of 15.07.2004 which is even admitted and clarified by the authorities but it has not been implemented and it is further prayed that consequential benefits may kindly be directed to be given to the petitioner and/ or for any other order/ orders may be passed in the facts and



circumstances of the case.”

3. Learned counsel appearing on behalf of the petitioner has fairly drawn my attention to Annexure-1 of the writ application, which is an order dated 12.07.2010, issued by the General Administrative Department, Government of Bihar whereby certain punishments were imposed, consequent upon which the petitioner's initial date of appointment was to be treated as the date of the said order i.e. 12.07.2010. The said order passed in 2010 has remained unchallenged and has been given effect to. Gradation-list of the cadre of Secretariat Assistants was prepared after seeking objections from the incumbents. The petitioner's date of appointment in the said tentative gradation-list was treated as 12.07.2010, which was objected. In the final gradation-list, the petitioner's date of joining has been treated as 12.07.2010 in the light of the order of the General Administrative Department, as has been noticed above.

4. Learned counsel appearing on behalf of the petitioner has submitted that even if the said date of 12.07.2010 is treated to be the date of petitioner's initial engagement, he is yet entitled to promotion on the basis of the place which he has been allotted in the seniority-list.



5. Considering the facts and circumstances, this application is disposed of with the only observation that let the case of the petitioner be considered for promotion as and when his turn comes as per the roster treating his date of appointment as 12.07.2010.

(Chakradhari Sharan Singh, J)

Rajesh/-

U			
---	--	--	--

