

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 2056 of 2020

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Sanjay Kumar Singh S/o Krishna Bahadur Singh Resident of Krishana Lane,
East Lohanipur, P.S.- Kadamkuan, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Sainik Welfare Directorate, Home Department, Govt. of Bihar, (Constable Section), Main Secretariat, Block-02, Second Floor, Govt. of Bihar, Patna.
2. The District Sainik Kalyan Padadhikari Bhojpur (Arrah), District- Bhojpur at Arrah.
3. The Principal Secretary, Department of Finance, Govt. of Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Dr Shashi Shekhar Kishore, Advocate
For the Respondent/s : Mr Shailesh Kumar, AC to GP V

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 24-02-2020 Learned counsel for the petitioner is permitted to implead the Director, Directorate of Army Welfare as Respondent No 4 to the instant writ petition.

Heard learned counsel for the petitioner and the Respondent-State.

The case of the petitioner is that he was appointed on compassionate ground and has been working since 29.10.2001. It is submitted by the petitioner's counsel that he was required to be promoted from Lower Division Clerk to Upper Division Clerk as he was eligible for the same. However, during the entire period of service, he has neither been promoted as such



nor any benefit has been extended to him under Assured Career Progression Scheme.

In this respect, Respondent No 2 had written to the newly added Respondent No 4 for taking a final decision in respect of the petitioner's claim, that also on 10.08.2019. However, nothing has been done till date.

In view of the fact that the issue is pending consideration and a decision has to be taken by Respondent No 4, no adjudication is called for at the moment.

Pendency of the instant proceedings would, therefore, be futile.

Writ petition is disposed of with a direction to Respondent No 4 to take a final decision on the petitioner's claim within eight weeks.

If financial benefits are found admissible, the same may also be paid within eight weeks thereafter.

(Madhuresh Prasad, J)

M.E.H./-

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