

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12440 of 2021

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Bijay Kumar S/o Baldeo Prasad R/o Mohalla - Professor Colony, North Shastri Nagar, Patel Path, P.S. - Shastri Nagar, Dis-Patna At Present - Ashokpuri near Blue Bells School, A.G. Colony, P.S. - Danapur, Dis-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Energy, Patna.
2. The Principal Secretary, Department of Energy, Govt. of Bihar, Patna.
3. The Bihar State Hydro Electric Power Corporation Limited through its Managing Director, Patna.
4. The Managing Director, Bihar Hydro Electric Power Corporation Limited Sone Bhawan, 2nd floor, Birchand Patel Marg, Patna.
5. The Manager (Personnel and Administration) Bihar State Hydroelectric Power Corporation Ltd. Sone Bhawan, 2nd floor, Birchand Patel Marg, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Brij Bihari Tiwary, Advocate
For the Respondent/	:	Mr. Awanish Nandan Sinha, Advocate
B.H.E.P.C.	:	Ms. Anamika Kumari, Advocate
For the State	:	Mr. Ranjeet Kumar Singh, AC to SC 6

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 30-11-2021

State counsel accepts notice for respondent Nos. 1 and 2.

Learned counsel for the respondent/BSHEPC accepts notice for respondent Nos. 3 to 5.

In the instant petition, petitioner has prayed for following relief/reliefs:

“i. For issuance of an appropriate writ in the nature of “Mandamus” directing and commanding the Respondents authorities to promote the petitioner on the post of Manager (Accounts) in Service of B.H.P.C. (herein after and referred by



the Corporation) with effect from i.e. the year 2013 which is the date since when the vacancy exist.

ii. For further issuance of “Mandamus” also directing the Respondent Authorities to provide the petitioner all the consequential benefit which shall be due to him on such promotion.

iii. For issuance of any other relief or reliefs for which the Petitioner is entitled for.”

The matter is taken up for final disposal in view of the fact that petitioner has sought only a direction for consideration of his claim for promotion to the post of Manager (Accounts). In respect of the petitioner’s grievance he had submitted representation to the competent authority. The competent authority has not taken any decision as to whether petitioner is entitled to be promoted to the post Manager (Accounts) or not?

In the light of these facts and circumstance, the competent authority is hereby directed to take a decision on the petitioner’s grievance as to whether petitioner is eligible to be promoted to the post of Manager (Accounts) or not? If he is otherwise eligible, the competent authority is hereby directed to examine the grievance of the petitioner and promote him in accordance with law.

The above exercise shall be completed within a period of three months from the date of receipt of this order. If petitioner is not entitled to be promoted to the post of Manager, in that event, necessary speaking order shall be passed and communicated as to



why the petitioner is not entitled to be promoted to the post of
Manager (Accounts).

With the above observations, writ petition stands disposed
off.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	02.12.2021
Transmission Date	NA

