

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6166 of 2007

=====

MANTI DEVI and ORS

... .. Petitioner/s

Versus

THE STATE OF BIHAR and ORS

... .. Respondent/s

=====

with

Civil Writ Jurisdiction Case No. 6192 of 2007

=====

BALMIKI SHARMA

... .. Petitioner/s

Versus

THE STATE OF BIHAR and ORS

... .. Respondent/s

=====

with

Civil Writ Jurisdiction Case No. 6315 of 2007

=====

SUNAINA KUMARI and ORS

... .. Petitioner/s

Versus

THE STATE OF BIHAR and ORS

... .. Respondent/s

=====

Appearance :

(In Civil Writ Jurisdiction Case No. 6166 of 2007)

For the Petitioner/s : Mr. Binod Kumar Sri., Advocate

For the Respondent/s : Mr. Satya Vrat (AC to GP 10)

(In Civil Writ Jurisdiction Case No. 6192 of 2007)

For the Petitioner/s : Mr. Ram Suresh Roy, Sr. Advocate

For the Respondent/s : Mr. Prabhat Kumar, AC to GA 11

(In Civil Writ Jurisdiction Case No. 6315 of 2007)

For the Petitioner/s : Mr. Shyamdeo Pd. Singh

For the Respondent/s : Mr. Gp20

=====

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

ORAL JUDGMENT

Date : 25-11-2021

Heard learned counsel for the parties.



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

“(a) Issuance of writ of Mandamus or any other appropriate writ, order or orders direction or directing the respondents to give the 2nd and 3rd time bound promotion on due dated i.e. 1.4.1991 and 1.4.2001 respectively as per circular after 10 years each which is laid down as rules.

(b) Issuance of an appropriate writ, order or direction, directing the respondents to give such other relief or reliefs to which this petitioner is deemed to be entitled too.”

Matter is of the year 2007. The respondent counsel has not given instruction as to whether petitioner's grievance has been redressed as on today or not. Therefore, second respondent is hereby directed to consider the grievance of the petitioner in respect of second and third time bound promotion which is stated to be due as on 01.04.1991 and 01.04.2001. If the petitioner fulfill otherwise requisite eligibility criteria for granting second and third time bound promotion as on 01.04.1991 and 01.04.2001, the same shall be considered and extended all monetary benefits while calculating dues of pay along with interest @ 6 % p.a from the date of presentation of this petition till payment is made. In the event of petitioner do not fulfill the requisite criteria for extending second and third time bound advancement as on 01.04.1991 and 01.04.2001 necessary speaking order shall be passed by the second respondent as to which of the criteria petitioner could not satisfy



the authorities in respect of extending second and third time bound promotion as on 01.04.1991 and 01.04.2001.

The above exercise shall be completed within a period of two months from the date of receipt of this order failing which the second respondent is liable to pay litigation cost and it is quantified @ Rs. 10,000/-. The cost shall be paid to the petitioner.

C.W.J.C. No. 6192 of 2007

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

- “(a) Issuance of an appropriate writ, order, direction, directing the respondents to give 2nd and 3rd time bound promotion as well as to pay at least statutory interest to this petitioner.
- (b) Issuance of an appropriate writ, order or direction, directing the respondents to give such other relief or reliefs to which this petitioner is deemed to be entitled too.”

Matter is of the year 2007. The respondent counsel has not given instruction as to whether petitioner's grievance has been redressed as on today or not. Therefore, second respondent is hereby directed to consider the grievance of the petitioner in respect of second and third time bound promotion which is stated to due as in the year 1991 and April, 2001. If the petitioner fulfill otherwise requisite eligibility criteria for granting second and third time bound promotion as on 1991 and April, 2001 the same shall be considered and extended all monetary benefits while calculating



dues of pay along with interest @ 6 % p.a. from the date of presentation of this petition till payment is made. In the event of petitioner do not fulfill the requisite criteria for extending second and third time bound advancement as in the year 1991 and April, 2001, necessary speaking order shall be passed by the second respondent as to which of the criteria petitioner could not satisfy the authorities in respect of extending second and third time bound promotion as on 1991 and in April, 2001.

The above exercise shall be completed within a period of two months from the date of receipt of this order failing which the second respondent is liable to pay litigation cost and it is quantified @ Rs. 10,000/-. The cost shall be paid to the petitioner.

With the above observations, both the writ petitions are disposed of.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30.11.2021
Transmission Date	NA

