

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1848 of 2017

In
Civil Writ Jurisdiction Case No.19818 of 2013

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Ram Lalit Singh S/O Late Saryug Singh Resident Of Village At P.O-
Keshopur, P.S- Sakra, District- Muzaffarpur, Retired At Basic Health Worker
From Primary Health Centre, Katra, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Sri Amir Subhani, presently posted as Principal Secretary, Personnel and Administration Reforms Department, Govt. of Bihar, Patna.
3. Sri Dharmendra Singh Gangwar, presently posted as Principal Secretary, Finance Department, Govt. of Bihar, Patna.
4. Sri R.K. Mahajan, presently posted as Principal Secretary, Health Department, Govt. of Bihar, Patna
5. Sri Azad Hind Prasad, presently posted as Director- In- Chief, Health Services, Govt. Of Bihar, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Singh, Advocate

For the Opposite Party/s : Mr.S. D. Yadav - AAG 9

Mr. A.K.Verma, AC to AAG-9

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

4 30-11-2022 This petition has been filed alleging non-compliance of the judgment dated 26.09.2016, passed in C.W.J.C. No. 19818 of 2013, titled as Ram Lalit Singh & Ors. Vs. The State of Bihar & Ors., by a learned Single Bench of this Court.

The operative portion of the judgment reads as under:-

“In such view of the matter,



this Court cannot give any positive direction for granting the promotion but certainly the case of the petitioners should be considered in the light of the 2014 rules framed by the State Govt. in accordance with law.

Let the authority should take step for creation of cadre scale for promotion within reasonable time preferably within six months.

With the aforesaid observation, this writ application is disposed of.”

It is not direction of the Court that the petitioner has to be promoted for, as is clear from the record, no Rules for promotion from the post of Basic Health Worker. That apart, the said post is a District Cadre Post. It is not that petitioner does not have any other channel of promotion. There are three ladders of promotion to the post of Pharmacist Cadre. Petitioner, who is working as a Basic Health Worker, has avenues of promotion. The respondents have taken a decision not to the liking of the petitioner, but, certainly, it is not a case that the respondents have violated, much less willfully, the orders of this Court.

As such, petition is disposed of, reserving liberty to the petitioner to agitate the grievances before the appropriate



forum, if so required and desired.

(Sanjay Karol, CJ)

K.C.Jha/DKS

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