

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6519 of 2021

Arvind Kumar, Singh Son of Nand Kumar Singh, Resident of Village-Dhandiha, P.S.- Koilwar, District- Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Secretary, Agriculture Department, Bihar, Patna.
2. The Special Secretary Agriculture Department, Bihar, Patna.
3. The Deputy Secretary Agriculture Department, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Mukesh Kumar, Advocate
For the Respondent/s	:	Mr.Lalit Kishore, AG

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

Date : 07-02-2022

The matter is heard via video conferencing due to circumstances prevailing on account of the COVID-19 pandemic.

2. State counsel accepts notice for respondents.

3. In the instant petition, petitioner has prayed for the following reliefs:-

“For direction upon the respondent authorities to consider the case of the petitioner for grant of regular promotion in Class-1 on the post of Deputy Director, Plant Protection in the cadre of Bihar Agriculture Service, Category-05 (Plant Protection) with all consequential monetary benefits from the date other similarly situated officers have been granted regular promotion (since 19.09.2017).

(ii). For direction to the respondent authorities to consider the representation of the petitioner submitted for grant of regular promotion in Class-1 to the post of Deputy Director, Plant Protection, Category-05 in the cadre of Bihar Agriculture Service and dispose it by a speaking and



reasonable order.

(iii). For any other relief/reliefs for which the petitioner is found entitled to.”

4. Short question for consideration is whether the petitioner is entitled to be promoted to the post of Deputy Director Crime Protection in the Bihar Agricultural Service category 05 (Crime Protection along with Monetary benefits) from the date of similarly situated persons who have been promoted with effect from 19.09.2017 in this regard the petitioner has submitted a representation on 04.08.2017, 18.09.2020, 28.12.2020 (Annexure-1 and 2 series respectively). The concerned authority is hereby directed to examine the petitioners claim and proceed to pass a speaking order as to why the petitioner is not entitled for promotion to the aforesaid post on par with others.

5. In this regard, if the petitioner is otherwise eligible he shall be promoted on par with others. If there is any hurdle in promoting the petitioner on par with others a necessary speaking order shall be passed and communicated to the petitioner as to why he is not entitled for promotion. The aforementioned exercise shall be completed within a period of three months from the date of receipt of this order.

(P. B. Bajanthri, J)

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CAV DATE	
Uploading Date	
Transmission Date	

