

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6074 of 2021

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Saroj Bala Devi Wife of Late Gauri Shanker Prasad, resident of Village- Sher-
pur Kayasth Tola, Shiv Mandir Ke Samne, P.S. - Sadar, District - Muzaf-
farpur, Presently working in the Office of Executive Engineer, Minor Irriga-
tion Division, Muzaffarpur. Petitioner/s

Versus

1. The State of Bihar.
 2. The Prinicipal Secretary, Department of Minor Water Resources Department,
Govt. of Bihar, Patna.
 3. The Chief Engineer, Minor Water Resources Department, Govt. of Bihar,
Patna.
 4. The Chief Engineer, Minor Water Resources Department, Muzaffarpur.
 5. The Executive Engineer, Minor Irrigation Division, Muzaffarpur.
- Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bidhanesh Misra, Advocate
For the Respondent/s : Mr.Sita Ram Yadav, GP 16

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

Date : 07-02-2022

This matter is heard *via* video conferencing due to cir-
cumstances prevailing on account of the COVID-19 Pandemic.

Learned State counsel accepts notice for respondents.

Learned counsel for the petitioner is hereby directed to
furnish a copy of the petition to learned counsel for the State if it
has not already furnished.

In the instant petition, petitioner has prayed for the fol-
lowing relief(s):-

*“(i) For directing the respon-
dent authorities to consider the case of
promotion of the petitioner in Class III
in the clerical grade with effect from the
date the junior have been promoted.*



(ii) For directing the respondent authorities to pay the salary and emoluments of Class II post of clerks from the date of such promotion.
(iii) For any other relief or reliefs for which the petitioner entitled in the eye of law.”

Short question for consideration in the present petition is whether the petitioner is entitled to promotion to the post of Class III post or not from the date of his immediate junior?

In this regard, the concerned respondent is hereby directed to examine service particulars of the petitioner and his immediate junior who is stated to have been promoted to Class III. If the petitioner is otherwise eligible necessary speaking order shall be passed in promoting petitioner to Class III on par with his immediate junior and extend monetary benefits from the date of his junior and pay arrears while calculating and disbursed to the petitioner. If the petitioner is not eligible in that event necessary speaking order shall be passed and communicated to the petitioner. The above exercise shall be completed within a period of two months from the date of receipt of this order.

With the aforesaid observations, the present writ petition stands disposed off.

Vikash/-

(P. B. Bajanthri, J)

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	
Transmission Date	N/A

