

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7033 of 2021

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Jayant Prakash S/o Late jai Prakash Narayan @ Jai Prakash Srivastava @
Late Jai Prakash Narayan Srivastava Resident of village- B2, Satyam Enclave,
Judges Colony, East Saguna Khagaul, Patna, Bihar- 801503

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR through the Principal Secretary, Department of Planning and Development, Govt. of Bihar, Old Secretariat, P.o.- Sachivalay, patna
2. The Principal Secretary, General Administration Department, govt. of Bihar, Old secretariat, P.o.- Sachivalay, Patna
3. The Director, Directorate of Economics and Statistics, Planning and Development Department, Old Secretariat, Patna, Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar, Advocate
For the Respondent/s : Md. Nadim Seraj, GP 5

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

ORAL JUDGMENT

Date : 13-04-2022

Heard learned counsel for the parties.

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

“a) To issue an appropriate writ in the nature of mandamus commanding the respondents to recommend name of the petitioner to General administrative Department (GAD) to be added in central pool of General administrative Department (GAD) clerical list.

b) To issue an appropriate writ in the nature of mandamus commanding the respondents to consider the petitioner as Upper Division Clerk as he



comes within top 50% strength as per seniority of Typist / Bill Clerk/Routine clerk of the department.

c) To issue an appropriate writ in the nature of mandamus commanding the respondents to grant all consequential benefits including ACP/Promotion as granted by General administrative Department (GAD) from time to time.

d) Pass any other or further order as this Hon'ble Court may deem fit and proper in the interest of justice.”

3. In support of the aforesaid relief, petitioner is relying on The Bihar Secretariat Clerical Service Rules, 2006 notified on 29.06.2006. His grievance is required to be redressed under sub-Rule 4 of Rule 7 relating to recruitment in the grade of Lower Division Clerk read with Rule 13, Common Seniority List. Further a general communication dated 26.02.2019 of General Administrative Department. In this regard, petitioner is stated to have submitted representation on 19.04.2017 *vide* Annexure P/6. Therefore, respondent No. 3 – The Director, Directorate of Economics and Statistics, Planning and Development Department, Old Secretariat, Patna, Bihar is hereby directed to peruse the petitioner's service particulars read with Rules 2006 (Annexure P/4) and General Administration Department communication to various departments and redress the petitioner's grievance within a



period of four months from the date of receipt of this order while passing a speaking order and its communication to the petitioner.

4. Accordingly, writ petition stands disposed off.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	19.04.2022
Transmission Date	

