

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7535 of 2021

Shivjee Mallik son of Sri Basu Mallik resident of Mohalla- Koshi Colony,
Katihar, P.S.- Katihar (Shahayak), District- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Health and Family Welfare, Govt. of Bihar, Patna.
2. The Director in Chief, Department of Health Services, Near Secretariat, Patna.
3. The Civil Surgeon, Katihar, District Katihar.
4. The In- Charge, Primary Health Centre, Sadar Block, Katihar, District- Katihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Md. Musowir
For the Respondent/s : Mr.

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

Date : 10-02-2022

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

2. State counsel accept notice for respondents.

3. Petitioner's counsel to serve copy of the petition to the State counsel, if it is not already served.

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

“1. That this is an application for issuance of an appropriate writ(s), order(s) or direction(s) to respondents to consider the case of the petitioner for promotion to the Class-III post from Class-IV Post in the Health department since the petitioner being eligible, are till



discharging in duty of Class-IV post for so many years i.e. since 1996.”

5. Appointing authority to Class-III post in the Health Department is hereby directed to examine the eligibility of the petitioner as to whether he is entitled for the promotion to the post of Class-III or not with reference to service particulars read with representations dated 22.07.2016 and 25.01.2020, vide Annexure-4 and 7 respectively. If the petitioner is eligible necessary order shall be passed in promoting the petitioner to Class-III post and extend all benefits in accordance with law. The above exercise shall be completed within a period of three months from the date of receipt of this order.

6. With the aforesaid observations, the instant petition stands disposed of.

(P. B. Bajanthri, J)

rakhi/-

AFR/NAFR	
CAV DATE	
Uploading Date	24.02.2022
Transmission Date	

