

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10846 of 2020

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Ranjan Kumar Chauhan Son of Late Jiyalal Singh, resident of Mohalla -
Professor Colony, Ward No. 6, Nirmali, P.S. Nirmali, District - Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, General Administration Department, Bihar, Patna.
2. The Principal Secretary Department of Finance, Government of Bihar, Patna.
3. The Joint Secretary, General Administration Department, Bihar, Bihar, Patna.
4. The Deputy Secretary, General Administration Department, Bihar, Bihar, Patna.
5. The Under Secretary, General Administration Department, Bihar, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Indu Bhushan, Advocate
For the Respondent/s : Mr. Prabhat Kumar Verma, AAG 3

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

Date : 12-01-2022

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

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

*“For issuance of an
appropriate writ in the nature of
Mandamus commanding the responsible
respondents for a direction to give all the
promotion i.e. Junior Selection grade,
senior selection grade and benefit of
second A.C.P. with all the consequential
benefits with retrospective effect as the
officers of 36th Batch of Bihar
Administrative Service and Officers of*



35th Batch of Bihar Administrative Service have already been given promotion of junior selection grade and senior selection grade and benefit of second A.C.P. those were junior to the petitioner and equivalent to the petitioner except the petitioner which will be apparent from the Civil List of 2019 dated 01.12.2019 (contained in Annexure-6) issued by the General Administration Department, Bihar, Patna. Considering the representation of the petitioner dated 16.03.2020 (contained in Annexure-5) and also to give regard of letter no. 3113 dated 28.02.2012 (contained in Annexure-2) passed by respondent no. 4 as in the light of order dated 07.12.2011 passed in C.W.J.C. No. 21484 of 2011 and representation dated 12.07.2010 given by the petitioner, the respondent no. 4 vide letter no. 31113 dated 28.02.2020 (contained in Annexure-2) informed the petitioner that his representation has been considered and it was found that there is a case against the petitioner bearing Bariyarpur P.S. Case No. 143 of 1993 wrongly mentioned in this letter; perfect number of the case is Bariyarpur P.S. Case No. 145 of 1993 in which sanctioned has been issued and in the meeting of Departmental Proceeding Committee (DPC) dated 12.11.2008 decision was taken to keep one post reserve for the petitioner and now the petitioner has been acquitted in connection with Bariyarpur P.S. Case No. 145 of 1993, but despite representation dated 16.03.2020 not any promotion has been given to the petitioner.”

In support of the aforesaid relief petitioner is stated to have submitted a representation dated 16.03.2020 (Annexure-5).



He is also relying on earlier decisions. The same shall be taken into consideration along with the service particulars of the petitioner. If the petitioner is otherwise eligible service benefits shall be extended including monetary benefits and if the petitioner is not entitled the relief sought in that event necessary speaking order shall be passed and communicated to the petitioner.

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

(P. B. Bajanthri, J)

Vikash/-

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

