

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3815 of 2021

1. Adist Kumar Thakur Son of Late Harish Chandra Thakur Resident of Village- Belmohan, P.S.- Phulparash, District- Madhubani, Presently working as Office Attendant in the Office of Executive Engineer, Flood Control Division, Muzaffarpur.
2. Md. Abrar Ahmad Son of Late Dost Mohammad Resident of Village- Ghunapur, P.S.- Bendusar Buzurg, District- Siwan, Presently working as Office Attendant in the Office of Executive Engineer, Flood and Drainage Division, Lalganj, District- Vaishali.
3. Bipin Kumar Son of Late Ishwar Pandey Resident of Village- Barandi, P.S.- Rahui, District- Nalanda, Presently working as Office Attendant in the Office of Executive Engineer, Drainage Division, Hajipur, District- Vaishali.

... .. Petitioner/s

Versus

1. State of Bihar through Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Water Resources Department Govt. of Bihar, Patna.
3. The Chief Engineer, Water Resources Department (Flood Control and Drainage), District- Muzaffarpur.
4. The Superintending Engineer, Flood Control and Drainage Circle, Water Resources Department, District- Muzaffarpur.
5. The Executive Engineer, Flood Control Division, Water Resources Department, District- Muzaffarpur.
6. The Executive Engineer, Drainage Division, Water Resources Department, Hajipur, District- Vaishali.
7. The Executive Engineer, Flood Control and Drainage Division, Water Resources Department, Lalganj, District- Vaishali.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Vasant Vikas
For the Respondent/s : Mr. Harish Kumar, GP-8

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

Date : 31-01-2022

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. Petitioners' counsel to serve copy of the petition to the State counsel.

4. In the instant petition, petitioners have prayed for following reliefs:

“1. That the present petition is being filed for issuance of writ in the nature of mandamus or any other appropriate writ, order(s) or direction(s) commanding the respondent authorities to grant the promotion of the petitioners on class-III post from the approved gradation list who are working as class-IV post for long time pursuant to Rule 5 and 8 of notification, issued by the Water Resources Department, Government of Bihar, dated 16th of December, 2014. And any other relief/reliefs may be granted to the petitioners for which they are entitled in accordance with law.”

5. Short question for consideration in the present petition is whether petitioners are entitled to be promoted to the post of Class-III or not? In this regard, petitioners submitted representation on 11.07.2018, vide Annexure-9 and it is pending consideration before the concerned respondent.

6. Therefore, the concerned respondent is hereby directed to decide the petitioners' representation/application dated 11.07.2018. If petitioners are otherwise eligible for promotion, the same shall be extended to them. If petitioners is not eligible, a detailed speaking order shall be passed and communicated to the petitioners. The above exercise shall be completed within a period



of two months from the date of receipt of this order.

7. With the above observations, the instant petition stands disposed of.

(P. B. Bajanthri, J)

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AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

