

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.705 of 2021

Dr. Pradeep Kumar Das Son of Late Hol Keshwar Das Resident of Chuna Bhati, Laxmisagar, Police Station- Saidpur, District- Darbhanga, presently posted as Lecturer Government Ayodhya Shiv Kumari Ayurvedic Medical College and Hospital, Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar through Health Department, Government of Bihar Patna
2. The Principal Secretary, Department of Health Medical, Education, Family Welfare and Indigenous Medicine, Government of Bihar
3. The Secretary, Department of Health (H.E.F.W.) and Indigenous Medicine, Government of Bihar
4. The Special Secretary, Department of Health (H.E.F.W.) and Indigenous Medicine, Government of Bihar
5. The Director General (Indigenous Medicines) Department of Health, New Secretariat, Patna
6. The Central Council of India Medicine through its Secretary, 61-65 Institutional Area, Janakpuri, D.Block, New Delhi

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Upadhyay
For the Respondent/s : Mr. Rajeshwar Singh, GA 10

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT
Date : 17-01-2022

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

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

“i. Issuance of appropriate writ in the nature of mandamus directing to the respondent authority as well as departmental promotional committee to recommend the name of the petitioner for promotion to the post of Reader and the post of Professor as per teaching experience in with regard to



post from the Lecturer in IENT department of Government Medical College, Begusarai with enhanced pay scale.

ii. Issuance of appropriate writ in the nature of mandamus directing to the respondent authority for the recommended the name of the petitioner to the post of principal as per seniority list of Ayurvedic teaching Cadre as experience in vacant post of Government Ayurvedic College Darbhanga.

iii. Any other relief or reliefs to which the petitioner may be deemed under the law in the facts and circumstances of the case.”

3. Short question for consideration in the present petition is whether petitioner is entitled to be promoted to the post of Reader and Professor in terms of the relevant Regulation followed by seniority. The petitioner submitted representations on 01.07.2020 and 21.08.2020 respectively *vide* Annexure A 7 and A 7/1.

4. The concerned Respondent is hereby directed to take note of the petitioner’s grievance read with the relevant Rules/Executive order governing the post of Reader and Professor and petitioner’s eligibility if petitioner fulfills the requisite eligibility in accordance with the provision of law. The concerned Respondent is hereby directed to redress the grievance of the petitioner within a period of four months from the date of receipt of this order.

5. Accordingly, writ petition stands disposed off.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	25.01.2022
Transmission Date	

