

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15193 of 2017

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Satyendra Son of Suryabansh Chaudhary Resident of Biseni Khurd, P.S. Nokha, District- Rohtas at Sasaram, Presently Posted as Range Officer of Forest, Imamganj, Gaya.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The State of Bihar, Environment and Forest Department, Govt. of Bihar, Patna.
3. The Principal Chief Conservator of Forest, Govt. of Bihar, Patna.
4. The Conservator Headquarter, In the office of Principal Chief Conservator of Forest, Bihar, Patna.
5. The Conservator of Forest, Gaya Circle, Gaya.
6. The Divisional Forest Officer, Gaya Division, Gaya.
7. Sri Subodh Kumar Gupta Assistant Conservator of Forest, Patna Forest Division, Nehru Nagar, Patna- 800013.
8. Sri Ravindra Kumar Ravi, Assistant Conservator of Forest, Begusarai, Forest Division, Begusarai.
9. Sri Dilip Kumar Choudhary, Range Officer of Forest, Forest Range, Vaishali Forest Division, Hazipur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prashant Sinha
For the Respondent/s : Mr. Dhurjati Kumar Prasad - Gp-14

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 23-06-2022 The writ application has been filed assailing the order whereby the petitioner's objection regarding his position in the seniority list has been rejected.

The counter-affidavit has been filed on behalf of the State. Paragraph 7 of the said counter-affidavit states as follows:

“That in this regard it is submitted and stated that the claim of the petitioner regarding his position in



the seniority list of Range Officer of Forests has been considered and by order no, 136 dated 1.9.19 of Principal Chief Conservator of Forests, Bihar the final seniority list of Range Officer of Forests has been revised. In revised seniority list petitioner has been placed above respondent No. 7, 8, & 9 at S.N. 30.”

In view of this admitted position, it is submitted by learned senior counsel that the main dispute for which writ petition has been filed before this Court now stands resolved, as there is no dispute regarding the petitioner's claim. However, paragraph 9 of the counter-affidavit reads as follows:

“That at this stage it is relevant to mention that the State Government after taking into consideration the order dated 01.04.2019 passed by Hon'ble High Court in MJC No. 2847/2018 and other analogous cases has taken decision vide order contained in memo no. 5066 dated 11.04.2019 of General Administrative Department, Govt. of Bihar to keep in abeyance all the meetings of any departmental promotion committee and not grant any promotion against the posts of State Government till further order. Due to said decision at present it is not possible to consider name of petitioner for promotion on



the post of Assistant Conservator of Forests.”

Based on this averment, it is submitted that the authorities should consider the petitioner's case in the departmental promotion committee as soon as the decision to keep in abeyance all meetings is withdrawn or lapses.

This Court would observe that there is no basis to apprehend otherwise in view of the categorical statement and stand of the respondent authorities taken note of hereinabove. It goes without saying that the petitioner's claim should be considered by the authorities as soon as possible, and within 8 weeks from the date on which the bar on meetings of D.P.C as per letter dated 11.04.2019 is lifted, and if already lifted, then within 8 weeks from the date of receipt/production of a copy of this order.

Application is disposed of.

(Madhuresh Prasad, J)

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