

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.676 of 2020

Ashok Kumar Singh, Son of Late Nathuni Prasad Singh, Resident of Village and Post Bhainswa, Police Station-Masaurhi, District-Patna, retired from the post of Junior Engineer in Rural Works Department, Work Division, Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Rural Works Department, Bihar, Patna.
2. The Accountant General (A and E), Bihar, Patna.
3. The Additional Secretary, State of Bihar, Patna.
4. The Deputy Secretary, Rural Works Department, State of Bihar, Patna.
5. The Chief Engineer, Rural Works Department, State of Bihar, Patna.
6. The Executive Engineer, Rural Works Department, State of Bihar, Patna.
7. The Treasury Officer, Jehanabad, District-Patna

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Advocate
For the Respondent/s : Mr.Kumar Alok, S.C.-7

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 05-07-2022 The petitioner has approached this Court seeking quashing of the notification dated 29.06.2018, whereby diploma-holder Junior Engineers (Civil) have been promoted as Assistant Engineers (Civil).

The petitioner has grievance that 106 persons' name figured in the promotion list, including four persons, specifically named in paragraph 5, whom he claims to be junior to him.

At the very outset, this Court would observe that these four persons against whom petitioner has made allegation



that they are juniors, have not been impleaded in the writ application. Therefore it would not be proper for this Court to consider such claim behind the back of these four persons.

Having observed so, this Court would further take notice of the stand of the respondents in the counter affidavit that the petitioner's claim for promotion was not considered in the meeting of the Departmental Screening Committee dated 11.06.2018 due to non-availability of Annual Confidential Reports. However, a post has been kept reserved.

It is further submitted that at present there is an embargo on consideration of the claims for promotion by an order dated 11.04.2019 issued by the General Administration Department, a copy of which has been enclosed, bearing Memo No.5066. Petitioner's claim therefore is pending consideration and would be taken up, when the situation permits, for grant of benefit due and admissible to the petitioner. Specific averment has been made that otherwise retirement benefits of the petitioner have already been sanctioned.

There is no rejoinder filed by the petitioner denying or disputing this averment and the submission of the State Counsel is based on copy of the order dated 11.04.2019.

For the reasons indicated herein above, this Court



would observe that there is no occasion for this Court to issue any direction quashing the notification dated 29.06.2018. The writ application is dismissed.

(Madhuresh Prasad, J)

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