

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4125 of 2021

1. Genalal Ray Son of Jandhari Ray Resident of Village and P.O. Babhantoli, P.S.- Goraul, District- Vaishali at Hajipur, presently posted as Electric Mistiri- cum- Pump Operator, L.N. College, Bhagwanpur, District- Vaishali at Hajipur.
2. Rajendra Ray Son of Ram Chandra Ray Resident of Village- Khirkhaua, P.O. Barispur, P.S.- Bhagwanpur, District- Vaishali at Hajipur, presently posted as Peon (Lab Boy) Department of Chemistry, L.N. College, Bhagwanpur, District- Vaishali at Hajipur.
3. Jang Bahadur Ray Son of Chalitar Ray Resident of Village- Etwarpur, P.O. Manikpur Pakari, P.S.- Lalganj, District- Vaishali at Hajipur, presently posted as Peon (Office), L.N. College, Bhagwanpur, District- Vaishali at Hajipur.
4. Rakesh Kumar Singh Son of Raj Kishore Singh Resident of Village- Anant Kamtaul, P.O. Kamtaul, District- Muzaffarpur, presently posted as Peon, Department of Psychology, L.N. College, Bhagwanpur, District- Vaishali at Hajipur.
5. Akhilesh Kumar Son of Phalendr Singh Resident of Village- Mukundpur, P.S.- Patepur, District- Vaishali at Hajipur, presently posted as Peon, L.N. College, Bhagwanpur, District- Vaishali at Hajipur.
6. Kaushal Kishor Singh Son of Kamleshwar Prasad Singh Resident of Village- Karhari, P.O. and P.S.- Bhagwanpur, District- Vaishali at Hajipur, presently working as Lab Boy, Department of Zoology, L.N. College, Bhagwanpur, District- Vaishali at Hajipur.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary Education Department, Government of Bihar, Patna.
3. The Director Higher Education Education Department, Government of Bihar, Patna.
4. The Vice Chancellor B.R.A. Bihar University, Muzaffarpur.
5. The Registrar B.R.A. Bihar University, Muzaffarpur.
6. The Principal L.N. College, Bhagwanpur, District- Vaishali at Hajipur.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 19320 of 2021

1. Pramod Pandey Son of Late Sukdev Pandey Resident of Village and P.O. D.K. Shikarpur, P.S. Shikarpur, Block - Narkatiaganj, District - West Champaran, presently working as Lab Boy, T.P. Varma College, Narkatiaganj, District- West Champaran.



2. Hari Prasad Son of Late Naresh Prasad Resident of Village - Maheshpur, P.O. D.K. Shikarpur, P.S. Shikarpur, Block - Narkatiyaganj, District- West Champaran, presently working as Lab Boy, T.P. Varma College, Narkatiaganj, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Government of Bihar, Patna.
3. The Director Higher Education, Education Department, Government of Bihar, Patna.
4. The Vice Chancellor, B.R.A. Bihar University, Muzaffarpur.
5. The Registrar, B.R.A. Bihar University, Muzaffarpur.
6. The Principal, T.P. Varma College, Narkatiaganj, District- West Champaran.

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 4125 of 2021)

For the Petitioner/s : Mr. Vijay Kumar Singh, Adv.

For the Respondent/s : Mr. Lalit Kishore (AG)

(In Civil Writ Jurisdiction Case No. 19320 of 2021)

For the Petitioner/s : Mr. Vijay Kumar Singh, Adv.

For the B.R.A.B.U. : Mr. Arabind Nath Pandey, Adv.

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

4 08-02-2023 1. Both the counsels are at *ad idem* that the issue raised by the petitioners in the present writ petition stands finally adjudicated by this Court while deciding in **C.W.J.C. No. 10808/2021 Uma Shankar Singh & Ors. Vs. State of Bihar & Ors.** on **07.07.2022**. Learned counsels states that the order passed therein be applied to the present case too.

2. This Court in Uma Shankar Singh(supra) has held that the petitioners were Class IV employees working in the constituent colleges are entitled for consideration for promotion



for Class III posts if they are otherwise found suitable. The view is reiterated to what has been earlier held in **C.W.J.C. No. 18572/2019 Deepak Kumar Vs. State of Bihar** decided on 17.02.2022.

3. The present petitioners are admittedly working in constituent colleges. They would therefore be entitled to be considered for grant of promotion to Class III post and their case may therefore be also considered.

4. Accordingly, the writ petition is disposed of as above.

(Sanjeev Prakash Sharma, J)

Sachin/-
Item No. 2 & 4

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