

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2343 of 2023

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Suresh Sharma Son of Lakshman Sharma @ Lakshman Mistri Resident of Mohalla- Ganga Nagar (Muraura) (Near Sarda Petrol Pump), P.S.- Biharsharif, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Health Service, Govt. of Bihar, Patna.
2. The Director-in-Chief, Health Department, Health Service, Govt. of Bihar, Patna.
3. The Divisional Director, Health Services, Patna Division, Patna.
4. The Civil Surgeon-cum-Chief Medical Officer, Sadar Hospital, Nalanda.
5. The Superintendent, Sadar Hospital, Biharsharif, Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Satya Ranjan Sinha, Advocate
For the Respondent/s	:	Mr. Md. Mujtabaul Haque, GP- 12
		Mr. Vasant Vikash, AC to GP- 12

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

5 29-08-2023 Heard learned counsel for the petitioner and learned counsel for the State.

2. No right of promotion has been made out based on the pleadings in the writ petition. The fact that the petitioner has filed representation on 26-12-2022, *per se*, cannot be made the basis for issuing a direction for consideration of his claim for promotion.

3. The Court had earlier allowed the petitioner opportunity to show whether any person junior or inferior to the petitioner has been granted promotion. The petitioner thereafter,



has filed supplementary affidavit stating that the person at Serial No. 20 of the Panel (Annexure- 6 series) has been granted promotion, though the petitioner, who is at Serial No. 16, has not been granted the promotion in-question.

4. It is apparent from the panel relied upon by the petitioner’s counsel that the person at Serial No. 20 was computer proficient, whereas in the column meant for special qualification, there is no such computer proficiency shown against the petitioner’s name. The example raised by the petitioner does not enure to his benefit.

5. For the above noted reasons, this Court finds that no enforceable claim is made out in the writ petition, and the same is dismissed.

(Madhuresh Prasad, J)

Raj kishore/-
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