

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8895 of 2016

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Sajid Ali Khan Son of late Shamshul Hoda Resident of Village and Post
Ratanpur, PS Ashok Paper Mill, District Darbhanga.

... .. Petitioner/s

Versus

1. The State Of Bihar represented through the Secretary, Animal Husbandry and Fisheries Department, Govt. of Bihar, Patna.
2. The Secretary, Animal Husbandry , Department Government of Bihar, Patna.
3. The Director Animal Husbandry Government of Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Kumar Ravish, Advocate
For the Respondent/s : Mr.Sc33- Ritesh Kumar

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-10-2023 1. The present writ petition has been filed seeking
the following relief(s):-

“1(i) To issue a writ of mandamus directing and commanding the respondents to consider and promote this petitioner from the post of 'Live Stock Supervisor' to the post of 'Live Stock Inspector' and further on other higher promotional post as per his entitlement in accordance with law from the due date in view of existing vacancies and in view of the fact that various juniors in Live Stock Supervisor's cadre have been promoted to the post of Live Stock Inspectors or other higher post of Assistant Technical Officer/Assistant Fodder Development Officer by passing this petitioner;
(ii) To issue a writ of mandamus directing and



commanding the respondents to grant him consequential benefits/notional benefits including arrears thereof when his first junior, namely, Shri Dev Narayan Singh has been promoted to the said post w.e.f. 3.12.1997;

(iii) To issue a writ of mandamus directing and commanding the respondents to include the name of this petitioner in the seniority list of Feeder Cadre i.e. Live Stock Assistant which was circulated on 1.8.2006 (Annexure- 1), however, the name of the petitioner was not included therein for the reasons best known to the respondents, although, the petitioner at that time was already working on a post, higher than the Feeder Cadre Le. Live Stock Supervisor upon his promotion in accordance with law;

(iv) To quash and set aside by issuing a writ of certiorari by way of abundant precaution the order dated 11.07.2012 (Annexure-7) issued by the Respondent No.3-Director in purported compliance of the order dated 22.11.2011 (Annexure-5) passed in CWJC No. 6120 of 2007 based on the revised seniority list dated 26.11.2010 (Annexure-6) in view of the fact that subsequently this Hon'ble Court in CWJC No. 2790 of 2011-Syed Mashiullah and others Vs. The State of Bihar and others has quashed the said revised seniority list dated 26.11.2010 (Annexure-6) restoring the original one dated



01.08.2006 (Annexure-1);”

2. At the outset, the learned counsel for the petitioner has referred to a gazette notification dated 13.10.2023, whereby the Asthayi Sthanapann Karyakari Vyavastha Niyamawali, 2023 has been notified, wherein it has been postulated that since, right from 11.04.2019, promotions have not been granted to the members of the State service, steps shall be taken to grant promotion on ad-hoc basis and they shall also be given the pay scale of the higher post.

3. In such view of the matter, the learned counsel for the petitioner submits that the present writ petition be disposed off with a direction to the respondent-authorities to consider the case of the petitioner for promotion on the post of Livestock Inspector, forthwith. It is directed accordingly.

4. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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