

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5700 of 2022

1. Bihar Administrative Service Association through its General Secretary Sri Anil Kumar aged about 56 Years, Male Son of Late Raja Ram Singh, having its Office at BASA Bhawan, North of Income tax Golamber, J.L. Nehru Marg, Patna.
2. Shashank Shekhar Sinha Son of Late Hari Narayan Prasad Gyan Bhawan, West Anandpuri, Boring Canal Road, Patna.

... .. Petitioner/s

Versus

1. Union of India through the Secretary, Department of Personnel and Training, Govt. of India, New Delhi.
2. Union Public Service Commission (UPSC) through its Secretary, Dhaulpur House, New Delhi.
3. The Chairman, Union Public Service Commission, Dhaulpur House, New Delhi.
4. The State of Bihar through its Chief Secretary, Old Secretariat, Patna.
5. The Principal Secretary, General Administration Department, Govt. of Bihar, Patna.
6. Bihar Public Service Commission (BPSC) through its Secretary at BPSC Bhawan, J.L. Nehru Marg, Patna-1.
7. The Chairman, Bihar Public Service Commission (BPSC), BPSC Bhawan, J.L. Nehru Marg, Patna-1.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Abhay Shankar Singh, Adv. Mr. Barun Kumar Singh, Adv.
For the Union of India	:	Mrs. Kanak Verma, C.G.C.
For the State	:	Mr. Sheo Shankar Prasad, SC-8
For the U.P.S.C.	:	Mr. Kaushal Kumar Jha, Sr. Adv. Mr. Amish Kumar, Adv. Mr. Rajan Prakash, Adv.
For the B.P.S.C.	:	Mr. Sanjay Pandey, Adv. Mr. Nishant Kumar Jha, Adv.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-12-2023 1. The present writ petition has been filed seeking the following relief(s):-

“A). For issuance of a writ in the nature of



MANDAMUS or any other appropriate writ/s, order/s, direction/s commanding the Respondents to fill up the 71 vacant posts against 93 sanctioned posts of Indian Administrative Service (for short "the IAS") cadre forthwith by promotion from amongst the substantive members of State Civil Service / Bihar Administrative Service Association (BASA); as per Rule 8(1) read with Rule 9(1) of the Indian Administrative Service (Recruitment) Rules, 1954 and further directing the Respondent Authorities to frame a proper and effective continuous mechanism in order to fill up the sanctioned post of IAS cadre from amongst the eligible members of BASA; which are lying vacant from time to time on regular basis as per the Service Rules, 1954 and further be pleased to direct the respondents to prepare an ad-hoc list of eligible BASA officers to be used by the Selection Committee for promotion to the Indian Administrative Service cadre every year."

2. At the outset, it has been pointed out by the learned counsel, appearing for the respondent-State, by referring to the supplementary counter affidavit filed in the present case that the proposal against the vacancies determined for promotion to the cadre of Indian Administrative Service for the year 2020, 2021 and 2022 have already been sent to the Union Public Service Commission for constituting the Select List as early as possible,



hence it is submitted that appropriate steps will be taken to expedite the matter. It is directed accordingly.

3. Accordingly, the present writ petition stands disposed off.

(Mohit Kumar Shah, J)

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