

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21004 of 2013

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1. Srinath Singh Son Of Late Nand Kishore Singh Resident Of Village - Chak Bairiya, Police Station Gaurichak, District - Patna
 2. Sudhir Prasad Son Of Late Hari Nandan Singh Resident Of Village - Dhimoh, Police Station Harnaut, District - Nalanda
 3. Ashok Kumar Pandit Son Of Sri Shayama Pandit Resident Of Village - Sanghatpar, Police Station Gaurichak, District - Patna
 4. Shiv Nath Mahto Son Of Late Thagan Mahto Resident Of Village - Godhia Bahadurpur, Police Station Goraul, District - Vaishali
 5. Krishna Thakur Son Of Late Baldev Thakur Resident Of Village - Dekuli Kothi, Police Station Mahmadpur, District - Vaishali
 6. Harendra Prasad Singh Son Of Late Mahabir Singh Resident Of Village - Hussainganj Bujurg, Police Station Goraul, District - Vaishali

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Agriculture Production Commissioner, Vikash Bhawan, Patna
3. The Department Promotion Committee, Department Of Agriculture, Government Of Bihar, Patna
4. The Director, Agriculture, Bihar, Patna
5. The Deputy Director Seed Analysis , Department Of Agriculture, Government Of Bihar, Patna

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar Sinha -2
For the Respondent/s : Mr.Anuj Kumar AC to GP-24

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL JUDGMENT

Date : 16-01-2023

Heard learned counsel for the petitioner and the State.

This writ petition has been filed by the petitioner for granting following reliefs :-

“(i) for issuance of a writ in nature of *Certiorari*



quashing the order dated 25.02.2013 of the Director Agriculture, Bihar, Patna contained in Annexure-17 and

(ii) for issuance of writ, order or direction, directing and commanding the respondents to grant the petitioner benefits of promotions with effect from the date they have been allowed officiated/adhoc promotion on the post of Lab Assistant from the post of Lab Attendant.”

The grievances of the petitioner is that though the petitioners have been given promotion but they have been discriminated vis-a-vis other candidates who were even not officiating have been given promotion from the date of vacancy while the petitioners have been given regular promotion from the date of officiating office, that promotion ought to have followed in the case of the petitioners. Pursuant to the order dated 27.06.2012 passed in CWJC No. 8182 of 2012, the grievances of the petitioners were heard and promotion of the petitioners were rejected vide Memo No. 347 dated 25.02.2013 by the Director Agriculture, Bihar, Patna.

Learned counsel for the petitioner makes a short submission to assail the impugned order that order passed by the concerned authority is a very cryptic order and no reasons has been assigned by the authority as to why the pleas taken by the



petitioners have not been found acceptable.

Counsel for State is unable to controvert the same.

Having considered the submissions made on behalf of the parties and after careful consideration of materials placed on record, this court deems it fit and proper to set aside the order dated 25.02.2013 passed by the Director Agriculture, Bihar, Patna as contained in Annexure-17. Accordingly, this writ petition is allowed.

The matter is remitted to the authority concerned, to pass a reasoned and speaking order in accordance with law within a period of three months from the date of receipt/production of a copy of this order.

(Prabhat Kumar Singh, J)

vinita/-

AFR/NAFR	
CAV DATE	
Uploading Date	31.01.2023
Transmission Date	31.01.2023

