

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20349 of 2013

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Arun Kumar S/O Parsuram Singh Resident Of Village - Chauthia, P.O. And
P.S. - Bikram, District - Patna At Present Working As Clerk, 5th Bihar Bn.
N.C.C. , Bhojpur At Ara

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. Additional Director General, N.C.C. , Dte, Bihar And Jharkhand, Patna
3. The Joint Director, N.C.C. Directorate, Bihar And Jharkhand, Rajendra Path,
Patna
4. The Deputy Director General, N.C.C. Bihar, Rajendra Path, Patna
5. The Commanding Officer, 17, Bihar Bn., N.C.C. Saharsa
6. The Bihar Public Service Commission, Jawahar Lal Nehru Marg, Patna
7. The Secretary, The Bihar Public Service Commission, Jawahar Lal Nehru
Marg, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Subodh Kumar Jha, Adv.
For the State	:	Mr. Binita Singh, SC 28
For the B.P.S.C.	:	Mr. Sanjay Pandey, Adv.
		Mr. Nishant Kumar Jha, Adv.

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**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

- 2 23-01-2023 1. The petitioner by way of this writ petition assails the
action of the respondents in making promotions on the post of
Head Clerk from U.D.C. and superceding him.
2. Learned counsel for the petitioner submits that the
petitioner was senior to many others who have been
recommended for promotion.
3. The respondents have filed their reply and it is stated
that the promotion has been granted to the candidates who



passed first and second paper of the department account exam. Since the petitioner does say anything about the denial, thereafter the knowledge of typing is also essential. The same was conducted and merit list was prepared by the Selection Committee on the basis of marks obtained in test. No reply to the counter has been filed by the petitioner nor has any person junior to the petitioner been impleaded as a party to the proceedings.

4. This writ petition is pending since 2013, no prayer has been made by petitioner to implead anyone as a party to the proceedings. In view of judgement passed in **Prabodh Verma & Ors. Vs State of U.P. & Ors** as reported in **1984 (4) SCC 251**, in **Arun Tewari & Ors. Vs. Zila Mansavi Shikshak Sangh & Ors.** reported in **1998 (2) SCC 332** and in **Sate of Rajasthan Vs. Ucchab Lal Chhanwal** reported in **2014 (1) SCC 144**.

5. No orders can be passed to give relief to the petitioner thereto, even if he is senior to the other persons, as he has not impleaded any one as party to the proceedings nor has he been able to make out a case whether he has passed both the examination as urged by the respondents in its counter affidavit.

6. In view thereof, no relief can be granted to the petitioner.



The writ petition is devoid of merits and is accordingly dismissed.

(Sanjeev Prakash Sharma, J)

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Item No. 52

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