

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18271 of 2015

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Parmanand Yadav S/o late Gulabi Yadav resident of Village Khawa , P.S and District Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Road Construction Department, Bishweshwaraiya Bhawan ,Bailey Road, Patna.
2. The Engineer-in-Chief-cum-Additional Commissioner-cum Special Secretary, Road Construction Department, Bihar, Patna.
3. The Secretary, Rural works Department ,Bishweshwaraiya Bhawan ,Bailey Road, Patna.
4. The Chief Engineer-II, Road construction Department Bihar Patna.
5. The Superintending Engineer, Rural Works Department, Works Circle Muzaffarpur.
6. The Executive Engineer, Rural Works Department, Works Division ,Hajipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Kripa Nand Jha, Adv.

For the Respondent/s : Mr.Vivek Prasad, GP-7

Ms.Roona, AC to GP-7

Mr.Sanjay Kumar, AC to GP-7

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-10-2023 1. The present writ petition has been filed seeking the following reliefs:-

“1.(i) For issuance of an appropriate direction, order or writ in the nature of mandamus commanding the respondents to promote the petitioner on the post of Assistant Engineer at least from the date his juniors were promoted to the said post i.e. w.e.f. 1993 apart from 1st and 2nd ACP admissible to the petitioner with all consequential benefits keeping in view that the petitioner was neither given a single promotion



nor any ACP during his entire service period for more than 32 years.

(ii) For holding and declaring that the petitioner is entitled to get his due promotion admissible to a Govt. employee as well as the ACP in accordance with provisions under the Govt. of Bihar.”

2. At the outset, the learned counsel for the parties are in agreement that the case of the petitioner is required to be considered and disposed off by the respondent-authority as far as grant of the benefits of 1st A.C.P. and 2nd A.C.P. are concerned.

3. In such view of the matter, I deem it fit and proper to grant liberty to the petitioner to file appropriate representation before the Engineer-in-Chief-cum-Additional Commissioner-cum- Special Secretary, Road Construction Department, Bihar, Patna, i.e. respondent no.2, within a period of four weeks, from today, who shall consider the case of the petitioner for grant of the benefits of 1st and 2nd A.C.P. and dispose off the same, by passing a reasoned and a speaking order, in accordance with law, within a period of eight weeks, thereafter and in case any consequential monetary benefits are required to be paid, the same shall also be paid, within the same time frame.

4. Accordingly, the present writ petition stands



disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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