

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11537 of 2015

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Ram Krit Sah son of Gopilal Sah, resident of At and P.O. Banaul, P.S. Nanpur,
District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Secretary, Department of Labour Resources, Govt. of Bihar, Patna.
3. Additional Secretary, Department of Labour Resources, Govt. of Bihar, Patna.
4. Principal Secretary, Department of General Administration Govt. of Bihar, Patna.
5. Principal Secretary, Department of Finance Department, Govt. of Bihar, Patna.
6. Director, Directorate Employment and Training Department of Labour, Resources, Govt. of Bihar, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Arun Kumar, Advocate
For the Respondent/s : Mr.Ajeet Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 31-08-2023 1. The present writ petition has been filed
seeking the following reliefs:-

*“1) A) To quash the Memo No. 50
dated 7.1.13 issued by Principal
Secretary, Department of Labour
Resources, Govt. of Bihar, Patna as
well the letter No. 1760 dated
20.6.15 issued by Additional
Secretary Department of Labour
Resources, Govt. of Bihar, Patna, a
copy of which are annexed as*



Annexure-5 and 6 to this writ application. The respondents have rejected the application of the petitioner for grant of benefit of Modified Assured Career Progression scheme in short M.A. C.P.S. in grade pay Rs. 8700/- Pay scale 37400/- 67000/-.

R) To direct the respondents to give promotion to the Petitioner at the post of Joint Director (Employment) in the grade pay to Rs. 8700/-.

C) To further direct the respondent to rectify the notification no. 112 dated 12.10.2012 by which the petitioners have been given promotion at the post of Deputy Director (Employment) from 1.7.2008 whereas the petitioner should have been given promotion at the post of Deputy Director (Employment from the date of vacancy dated 20.02.1992)."

2. The learned counsel for the petitioner has admitted that before superannuation of the petitioner from service, no person, junior to him,



has been granted promotion.

3. In view of the aforesaid, since the petitioner has already stood retired, it cannot be said that the impugned order dated 07.01.2013, passed by the Principal Secretary, Human Resources Department, Government of Bihar, Patna suffers from any illegality.

4. Accordingly, the writ petition stands disposed off as not pressed.

(Mohit Kumar Shah, J)

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