

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1175 of 2024

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Gautam Prasad Budha S/o Late Kailash Prasad, Resident of Flat No. 103,
Shree Jagannath Enclave, Patel Nagar East, Road No. 10, P.O. and P.S. Shastri
Nagar, District and Town- Patna, State - Bihar, PIN Code- 800023.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Energy, Government of Bihar, office of the Vidyut Bhawan- II, 2nd Floor, Bailey Road, P.S. Kotwali, District and Town- Patna.
2. The Bihar State Power (Holding) Company Limited, through its The Chairman -cum- Managing Director, Vidyut Bhawan- 1, 1st Floor, Bailey Road, P.S.- Kotwali, District and Town- Patna.
3. The Chairman-cum-Managing Director, Bihar State Power (Holding) Company Limited, Vidyut Bhawan-1, 1st Floor, Bailey Road, P.S. Kotwali, District and Town- Patna.
4. The General Manager (HR/Administration), Bihar State Power (Holding) Company Limited, Vidyut Bhawan-1, 1st Floor, Bailey Road, P.S. Kotwali, District and Town - Patna.
5. The Deputy General Manager (HR/Administration), Bihar State Power (Holding) Company Limited, Vidyut Bhawan-1, 1st Floor, Bailey Road, P.S. Kotwali, District and Town - Patna.
6. The Deputy Secretary, Bihar State Power (Holding) Company Limited, Vidyut Bhawan- I, 1st Floor, Bailey Road, P.S. Kotwali, District- and Town- Patna.
7. The Under Secretary, Bihar State Power (Holding) Company Limited, Vidyut Bhawan-1, 1st Floor, Bailey Road, P.S.- Kotwali, District- and Town- Patna.
8. The Secretary, Department of Welfare SC/ST Bihar, Old Secretariat, P.S. Sachiwalaya, District and Town- Patna.
9. The Managing Director, South Bihar Power Distribution Company Limited, Vidyut Bhawan-1, 2nd Floor, Bailey Road, P.S. Kotwali, District and Town - Patna.
10. The General Manager (HR/Adm.) South Bihar Power Distribution Company Limited, Vidyut Bhawan- I, 2nd Floor, Bailey Road, P.S. Kotwali, District and Town-Patna.
11. The Deputy General Manager (HR/Adm.), South Bihar Power Distribution Company Limited, Vidyut Bhawan- II, Bailey Road, P.S. Kotwali, District and Town - Patna.
12. The Deputy Secretary, South Bihar Power Distribution Company Limited, Vidyut Bhawan- I, Bailey Road, P.S. Kotwali, District and Town- Patna and.
13. The Under Secretary, South Bihar Power Distribution Company Limited, Vidyut Bhawan- II, Bailey Road, P.S. Kotwali, District and Town - Patna.

... .. Respondent/s



Appearance :

For the Petitioner/s : Mr.Dr. Kislay
For the Respondent/s : Mr.Additional Advocate General (12)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-02-2024 The present writ petition has been filed seeking the following reliefs:-

“1(i). For issuance of appropriate writ or writs/ order or orders/ direction or directions in the nature of Mandamus commanding and directing the Respondents to consider the claim of the petitioner for his promotion on the post of Law Officer which is due since 2019 and thereafter to the post of Deputy Law Advisor which is due w.e.f. 01.04.2023 and further to consider all promotional as well as consequential benefits and monetary benefits fixing a time frame in the following facts and circumstances of the case.

(ii). For issuance of appropriate declaration that the action of the Respondents concerned in not promoting the petitioner on a suitable post under Time Bound Promotion in question is highly illegal, arbitrary, malicious and tantamounting to violation of Fundamental Rights, Human Rights and Natural Rights of the petitioner in the facts and circumstances of this case.

(iii). To hold and declare that denial of said promotions Law Officer/Deputy Law Advisor of the petitioner in questions for such a long period constitutes an infringement of the right of the



petitioner under the Constitution of India, 1950.
(iv). In the facts and circumstances, the Respondents should be directed to give promotions on the post of Law Officer/Deputy Law Advisor at once in the facts and circumstances of the case.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Chairman-cum-Managing Director, Bihar State Power Holding Company Ltd., Patna, for redressal of his aforesaid grievances. Liberty, so sought, is granted.
3. It is needless to state that in case the petitioner approaches the Chairman-cum-Managing Director, Bihar State Power Holding Company Ltd., Patna, by filing appropriate representation, within a period of two weeks from today, the same shall be disposed off by a reasoned and a speaking order, in accordance with law, within a period of six weeks, thereafter.
4. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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