

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4935 of 2020

Lal Mohan Jha, Son of Sri Kusheshwar Jha, Resident of N/6, Mirchai Bari,
Block Campus, Mirchai Bari, P.s.- Town, District- Katihar, at present posted
as Lecturer-in-Charge, District- Panchayat Raj Training Institute, Purnea,
District- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Panchayat Raj
Department, Bihar, Patna
2. The Joint Secretary, Panchayat Raj Department, Bihar, Patna
3. The Deputy Secretary, Rural Development Department, Bihar, Patna
4. The Director, Panchayat Raj Department, Bihar, Patna
5. The District Panchayat Raj Officer, Purnea
6. The District Panchayat Raj Officer, Katihar

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Amit Kumar Anand, Adv.
For the State	:	Mr. Ajay (GA5)
		Mr. Rakesh Kumar Ranjan (AC to GA-5)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-03-2024 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ petition has been filed for directing the respondent authority to grant promotion to the petitioner to Junior Selection grade from the date when similarly situated Panchayat Supervisor were granted the same with benefits, whereas, the petitioner has been entitled for the said post with effect from 10.01.1991.

3. Learned counsel for the petitioner submits that the petitioner was appointed as Panchayat Supervisor on 20.06.1989 and his services were confirmed on 20.06.1992 and he was



continuously working to the satisfaction of the officials. Counsel also submits that initially, he was posted at Katihar and the competent authority was District Panchayat Raj Officer, Katihar. Counsel further submits that other similarly situated persons were granted the said benefit and the supervisors were granted promotion to Junior Selection Grade with effect from 2005, but the case of the petitioner was forwarded and no action has been taken at the Directorate level. Counsel submits that the petitioner has filed several representations but, no action has been taken till date.

4. Learned counsel for the petitioner submits that The Deputy Secretary, Rural Development Department, Bihar, Patna (respondent No.3) is the responsible person who shall fulfill the grievances of the petitioner.

5. Learned counsel for the State submits that the petitioner has already filed representation but, he ought to file his representation before the District Panchayat Raj Officer, Katihar. Counsel also submits that a liberty may be granted to the petitioner to file a fresh representation.

6. After hearing the parties and going through the documents, it transpires to this Court that claim of the petitioner is basically that other similarly situated persons have been



granted benefit of Junior Selection Grade but, the petitioner's case has not been considered at the Directorate level.

7. In the light of clause 4(C) of Bihar State Litigation Policy, 2011, the similar matter should be decided similarly and as such, this writ petition is hereby disposed off directing the petitioner to file a fresh representation before the Deputy Secretary, Rural Development Department, Bihar, Patna (respondent No.3) who upon considering the case of the petitioner in the light of clause 4(C) of Bihar State Litigation Policy, 2011 shall grant relief to the petitioner within 90 days from the date of production of his fresh representation along with the order. In case, the said respondent no.3 found that the petitioner is not entitled for the said relief, then in that case, he shall pass a reasoned and speaking order within the said period.

8. Since the general elections of Lok Sabha, 2024 has been notified, the counting of the said 90 days shall be started from the end of the general elections of Lok Sabha, 2024.

9. With the aforesaid observations and directions, this writ petition is hereby disposed off.

(Dr. Anshuman, J.)

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