

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9923 of 2016

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Yugal Narayan Jha, son of Late Ram Narayan Jha, resident of Mohalla- Rajeev Nagar Road No. 19, House No. 126 (Renukasharam) P.S. Rajeev Nagar District-Patna

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Industries, Vikash Bhawan, Baily Road, Patna.
2. The Bihar State Khadi and Village Industries Board through its Chief Executive Officer, East Gandhi Maidan, Town and District-Patna.
3. The Chairm, Bihar State Khadi and Village Industries Board, East Gandhi Maidan, Town and District- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Kishore Kumar Thakur, Advocate
For the Respondent No. 2 & 3:		Mr. Dr. Anand Kumar, Advocate
For the State	:	Mr. Subhash Chandan Mishra, SC 16

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL JUDGMENT

Date : 12-01-2024

Heard learned counsel for the petitioner, learned counsel appearing on behalf of the Khadi Board as well as learned counsel appearing on behalf of the State.

2. The present writ petition has been filed for the direction of the respondent particularly respondent no. 2 to grant 1st and 2nd time bound promotion to the petitioner in the same manner in which the other similarly situated employees of Khadi Board, namely, Chandrabhushan Choudhary has been granted benefit vide order dated 05.01.2016 (Annexure- 7) of the writ petition. And the Board has chosen not to give the



benefit of 1st and 2nd time bound promotion to the petitioner.

3. Learned counsel for the Board on the other hand submits that the Board has been dissolved and the matter was pending before the State Government and the State Government has constituted a 3 men committee to consider the service conditions of the employees of the Board. He further submits that after the decision of the Board, the State Government has taken decision and approved that the employee of the Board is also entitled for the 1st and 2nd time bound promotion but he submits that the order was passed in 2017 and the same is prospective effect and not for retrospective effect and the petitioner was entitled for the same prior to his retirement.

4. Considering the aforesaid facts, the petitioner is directed to file a detailed representation annexing all the relevant papers in support of his claim before the respondent no. 2 and respondent no. 2 is directed to examine the matter of the petitioner and pass a speaking order taking into account that the similarly situated employee of the Board, namely, Chandrabhushan Choudhary and others have been granted the same relief by the Board.

5. Let, respondent no. 2 pass a speaking order in accordance with the rule within a period of six weeks from the



date of production/receipt of copy of this order and if it is found that the petitioner is entitled for the same, then he may pass necessary order and release the benefit in favour of the petitioner within a period of four weeks.

6. Accordingly, this writ petition stands disposed of with the aforesaid direction.

(Rajesh Kumar Verma, J)

Vanisha/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	20.02.2024
Transmission Date	N/A

