

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5671 of 2024

Dr. Kari Prasad Mahto Son of Sri Baue Lal Mahto Resident of Officer Colony, S.D.M. Darbhanga, Sadar, P.S.- Bahadurpur, District- Darbhanga, presently residing at Indira Colony, P.S.- Bahadurpur, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
2. The Additional Chief Secretary, General Administration Department, Bihar, Patna.
3. The Joint Secretary, General Administration Department, Bihar, Patna.
4. The Deputy Secretary, General Administration Department, Bihar, Patna.
5. The Secretary, Bihar Public Service Commission, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Indu Bhushan, Advocate
For the Respondent/s	:	Mr.Government Pleader (11)
For BPSC	:	Mr.Sanjay Pandey, Advocate
		Mr.Nishant Kr. Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-04-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1. That this writ application is directed for issuance of an appropriate writ in the nature of Mandamus commanding the responsible respondents for a direction to give promotion on the post of Joint Secretary or into the equivalent level of Joint Secretary with all the consequential benefits with effect from 17.10.2023 considering the representation dated 18.10.2023, 11.12.2023 and 16.01.2024 as the employees of Bihar Administrative Service those were junior in seniority list or



have been equivalent to the petitioner have been given benefit of promotion on the post of Joint Secretary or equivalent to Joint Secretary with all the monetary benefits, but the petitioner has been debarred from this opportunity of promotion on the post of Joint Secretary knowing it very well that the petitioner is entitled to be promoted on the post of Joint Secretary, but under the formula of pick and choose the petitioner has been debarred which clearly amounts the arbitrariness and violation of Article 14 and 16 of the Constitution of India in the matter of the petitioner.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the respondent no.2 i.e. the Additional Chief Secretary, General Administration Department, Bihar, Patna, for redressal of his aforesaid grievances. Liberty so sought is granted.

3. It is needless to state that in case appropriate petition is filed, by the petitioner, before the Additional Chief Secretary, General Administration Department, Bihar, Patna, within a period of two weeks from today, the same shall be considered, in accordance with law and a reasoned and a speaking order shall be passed, thereon, within a period of six weeks, thereafter.



4. The present writ petition stands disposed off on the
aforesaid terms.

(Mohit Kumar Shah, J)

Saurav/-

U			
---	--	--	--

