

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18003 of 2015

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Ramdeo Mandal S/o Late Asharfi Mandal, Resident of village- Khankitta,
P.S.- Sabour, District- Bhagalpur

... .. Petitioner/s

Versus

1. The Bihar Agriculture University, Sabour Bhagalpur through its vice Chancellor.
2. The Vice Chancellor, Bihar Agriculture University, Sabour, Bhagalpur
3. The Director Administration, Bihar Agriculture University, Sabour, Bhagalpur
4. The Registrar, Bihar Agriculture University, Sabour, Bhagalpur
5. The Dean-cum-Principal, Bihar Agriculture College, Sabour, Bhagalpur

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Swapnil Kumar Singh, Advocate Md. Najmul Hodda, Advocate
For the Respondent/s	:	Mr. Chandra Mohan Singh, Advocate Mr. Sanjeev Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 09-02-2024 1. The petitioner has filed the instant application for
the following relief(s):-

“1. (i) For issuance of a writ of mandamus or any other appropriate writ order or direction commanding the respondent authorities to grant promotion to the petitioner on the post of Junior Research Assistant (Non-Technical) in the pay scale of Rs. 5200-20200+ Grade pay 2800 w.e.f. 25.08.2014 with all consequential benefits since the date his juniors have been granted the same.

(ii) For any other relief or reliefs to which the petitioners may be deemed entitled by this Hon'ble Court.”



2. At the outset, learned counsel for the respondents referring to the counter affidavit filed on behalf of the Director Administration, Bihar Agriculture University, Sabour, Bhagalpur (respondent no.3) submits that the petitioner in the instant writ application is praying for promotion with effect from 25.8.2014 though he had retired on 31.1.2013 itself. Relevant paragraph no.4 of the counter affidavit is extracted herein below:-

“4. That the petitioner has filed writ petition for his promotion in Junior Research Assistant(Non-Technical) in the scale of 5200-20,200, Grade Pay-2800 w.c.f. from 25.08.2014 with all consequential benefits since the date his Junior and equal have been granted the same. It is pertinent to mention here that the promotion was notified on 31.05.2015 and it was given notionally and provisionally w.e.f 25.08.2014. The consequential benefits were given w.e.f. 31.05.2015. But the petitioner had retired on 31.01.2013. Since the petitioner had retired before the date of notification of the promotion, so his case has not been taken into account.”

3. In spite of a copy of the aforesaid counter affidavit having been served on learned counsel for the petitioner on 29.9.2021, the facts stated therein have not been contradicted.

4. Having heard learned counsel for the parties, in the opinion of this Court, no promotion can be granted to any



person after the date of his retirement, the Court finds no merit
in the writ application and the same is dismissed.

(Partha Sarthy, J)

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