

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23079 of 2011

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Anirudh Singh S/O Late Yamuna Singh, R/O Village - Suhawan Khut, P.S. -
Barhara Koti, P.O. - Bhatotar Chakla, Via Barhra Kothi, District - Purnia.

... .. Petitioner

Versus

1. The State of Bihar.
2. The Secretary Industries Department, Null Governemnt Of Bihar, New Secretariat, Patna
3. Bihar State Khadi And Village Industries Board, Mahesh Bhwan East Gandhi Maidan, P.S. - Gandhi Maidan, District - Distirct - Patna Through Its Chief Executive Officer.
4. The Chairman, Bihar State Khadi And Village Industries Board, Mahesh Bhawan, East Gandhi Maidan, P.S. - Gandhi Maidan, District - Patna
5. The Chief Executive Officer, Bihar State Khadi And Village Industries Board, Mahesh Bhawan, East Gandhi Maidan, P.S. - Gandhi Maidan, District - Patna

... .. Respondents

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Appearance :

For the Petitioner	:	Mr. Atul Chandra, Advocate
For the Khadi Board	:	Dr. Anand Kumar, Advocate
For the State	:	Mr. Asif Kalim, AC to AAG-12

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

11 15-04-2024 Heard Mr. Atul Chandra, the learned counsel for the

petitioner, Dr. Anand Kumar, the learned counsel appearing on

behalf of Bihar State Khadi And Village Industries Board and Mr.

Asif Kalim, the learned AC to AAG-12 appearing on behalf of the

State.

2. The present writ petition has been filed for directing

to the respondents to grant first time bound promotion to the

petitioner. The petitioner has retired on 31.01.2002 while working

as Manager, Blanket Production Centre, Nasirganj, Rohtas.



3. Learned counsel for the petitioner submits that earlier the petitioner has approached this Hon'ble Court in CWJC No. 12695 of 2004 (Annexure-3) and the same was disposed of vide order dated 22.03.2005 with a direction to the petitioner to raise his grievances before respondent no. 5 and respondent no. 5 shall dispose of the same by a reasoned order.

4. Learned counsel for the petitioner submits that despite the direction of this Hon'ble Court, the representation of the petitioner was not disposed of by respondent no. 5, then the petitioner has moved in the contempt proceeding filing MJC No. 1044 of 2007 and during the pendency of MJC petition, the impugned order dated 10.07.2007 was passed and MJC No. 1044 of 2007 was disposed of with a liberty to petitioner that he may assail the same before appropriate proceeding.

5. Learned counsel for the petitioner submits that pursuant to the aforesaid liberty, the petitioner has filed the present writ petition.

6. Learned counsel for the Bihar State Khadi And Village Industries Board as well as the State on the other hand has filed their respective counter-affidavit stating therein that it appears that the case of the petitioner was rejected in the year 2007 and liberty has been given to the petitioner in the year 2008 to assail the same, but the petitioner has approached this Hon'ble



Court in the year 2011, after a delay of three years and apart from that the policy of the Bihar State Khadi And Village Industries Board (hereinafter referred to as 'Board') with regard to the time bound promotion and upon bare perusal of the policy of the Board it appears that Board grants time bound promotion to its Plan-Head employee from the profits of its sales centre in which the employee concerned is posted and upon bare perusal of the impugned order it transpires that according to the audit report of the Blanket Production Centre, Nasirganj, in which the petitioner was the employee in the year 1992-93, it was in net loss of Rs. 1,19,159/- (Rupees one lakh nineteen thousand one hundred and fifty-nine) and in view of the aforesaid, the petitioner was not entitled for the time bound promotion as per the decision of the Board.

7. Considering the aforesaid facts and circumstances, there is no merit in the writ petition and accordingly this writ petition stands dismissed.

(Rajesh Kumar Verma, J)

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