

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17382 of 2012

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Bhola Rai S/O Late Mohan Rai R/V- Sri Ram Path,P.S.-Jakkanpur, Distt.- Patna

... .. Petitioner/s

Versus

1. The State Of Bihar, through the Chief Secretary, Government of Bihar, Patna.
2. The Managing Director, Bihar State Road Transport Corporation, Patna
3. The Divisional Manager, Bihar State Road Transport Corporation, Patna
4. The Superintendent Bihar State Road Transport Corporation, Phulwarisharif, Patna
5. The Administrator, Bihar State Road Transport Corporation, Patna
6. The Deputy Chief Account Officer Bihar State Road Transport Corporation, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar Sinha, Advocate Mr. Satyendra Kumar Bhatnagar, Advocate Mr. Arvind Kumar Srivastava, Advocate
For the B.S.R.T.C.	:	Mr. P.K. Verma, Sr. Advocate Mr. Suman Kumar Jha, Advocate
For the State	:	Mr. Sanjay Prasad, AC to AAG-4

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 24-06-2024 Heard Mr. Vijay Kumar Sinha, learned counsel appearing on behalf of the petitioner; Mr. Suman Kumar Jha, learned counsel for the Bihar State Road Transport Corporation and Mr. Sanjay Prasad, learned AC to AAG-4 for the State.

2. Learned counsel appearing on behalf of the petitioner submits that the relief(s) as prayed for in the present writ petition can be considered by the present Administrator of the Bihar State Road Transport Corporation considering the fact



that the impugned order contained in Letter No. 4188 dated 25.11.2009 is a non-speaking order, without giving reference of the Service Condition Rules and Class-III and Class-IV posts available in the Corporation.

3. A counter affidavit has been filed on behalf of the Corporation. On perusal of statement made in paragraph no. 8, it appears that the petitioner was appointed as Cleaner-cum-Potter on 13.01.1974 and on 13.01.1984, first time bound promotion was given to the petitioner. However, there is no denial in the counter affidavit, as to whether, the post of Helper is a promotional post from the cadre of Cleaner-cum-Potter or a mere designation of the same post, Cleaner-cum-Potter. Vague statement has been made in paragraphs no. 9 and 10 of the counter affidavit that the application of the petitioner submitted shows that the petitioner has admitted himself to be Helper but no specific denial has been made, as to whether, the petitioner had ever worked as a Helper.

4. As the petitioner has already sought to file representation before the present Administrator, I direct the Administrator to take appropriate action on the basis of Service Condition Rules relating to the employees of the Corporation and pass a reasoned order after giving due opportunity of



hearing to the petitioner in accordance with law well within a period of six weeks from the date of communication of this order.

5. Accordingly, the present writ petition is disposed of.

(Purnendu Singh, J)

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