

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10366 of 2024

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Amit Kumar Singh, S/o Chandrika Singh, R/o Mohalla-Faizula, P.O. Lal Bagh, P.S.-Laheriasarai, Dist-Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Public Health Engineering Department, Govt. of Bihar, Patna.
2. The Principal Secretary Public Health Engineering Department, Govt. of Bihar, Patna.
3. The Engineer-in-Chief Cum Special Secretary, Public Health Engineering Department, Bihar, Patna.
4. The Regional Chief Engineer, Public Health Engineering Department, Bihar, Muzaffarpur Zone.
5. The Superintending Engineer, Darbhanga Circle, Darbhanga.
6. The Executive Engineer, Public Health Division, Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Siyaram Pandey, Advocate
For the Respondent/s : Md. Zeeshan Kalim, AC to SC-20

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-07-2024 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ petition has been filed for
following relief/s :-

“I. Mandamus or an appropriate writ/writs, order/orders, direction/directions commanding the respondents to grant post promotion on due date with all consequential benefits from group D to Group-C to the petitioner who has been discharging his duty on a group-D post since 1.9.1986 to till date (about 37



years of service) and in seniority list prepared at circle level his name was placed on the top of seniority list but due to the laches and inaction of the department he has been deprived of the same for which he is legally entitled for.”

3. Learned counsel for the petitioner submits that for grant of the relief, the petitioner has consistently filed the representation. The latest representations filed by the petitioner are of dated 10.08.2023 and 20.09.2023 as contained in Annexure- P4 series, but till date no decision has been taken on the representations filed by the petitioner. Learned counsel for the petitioner further submits that there is already rule framed by the Government. According to which, the petitioner are entitled for the relief made in the present writ petition. The copy of the Rule has been annexed in the writ petition as Annexure P-10.

4. Learned counsel for the State submits that the writ petition may be disposed off directing the respondent No.5 to take a decision on the representations of the petitioner within a specified period.

5. In this view of the matter, the present petition is disposed off directing the petitioner to file a fresh representation along with all relevant documents within 30 days from today along with a copy of this order before respondent No.5, namely,



the Superintending Engineer, Darbhanga Circle, Darbhanga and the respondent no.5 is directed to take a decision on the representations of the petitioner within 90 days and pass a reasoned and speaking order after providing an opportunity of hearing to the petitioner either in person or through his advocate. The said 90 days period shall be counted from the date of completion of appearance of the petitioner either in person or through his counsel before the authority.

6. With the aforesaid observation and directions, this writ petition stands disposed off.

(Dr. Anshuman, J)

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