

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13584 of 2024

Umesh Prasad Singh, Son of Late Bidyanarayan Singh, Resident of village and P.O.- Chatauni, P.S.- Basopatti, District- Madhubani, at present posted as Labour Enforcement Officer, Kotwa, East Champaran at Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Labour Resources Department, Government of Bihar, Patna.
2. The Special Work Officer, Labour Resources Department, Government of Bihar, Patna.
3. The Labour Commissioner, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Pranav Kumar Jha, Advocate Mr.Subodh Kumar Jha, Advocate Mr.Chandra Mohan Jha, Advocate
For the Respondent/s	:	Mr.Nawal Kishore Singh, AC to GP 26

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

2 12-09-2024 The petitioner was appointed as Labour Enforcement Officer on 7th of February, 1989. Subsequently, during the period between 2010 to 2023, his service was placed under the Rural Development Department. While he was working in Rural Development Department, a departmental proceeding was initiated in the year 2019. Subsequently, however, the said proceeding was dropped and he was exonerated from departmental proceeding.

2. On 5th of March, 2024, a gradation list of Labour Enforcement Officers were prepared for the purpose giving promotion to the eligible candidates to the post of Labour



Superintendent. The name of the petitioner appeared in Serial No. 2 in the gradation list (Annexure 2). Subsequently, substantial number of Labour Enforcement Officers were promoted to the post of Labour Superintendent. However, the case of the petitioner was not considered.

3. It is the grievance of the petitioner that at one hand, the juniors to the petitioner were considered for promotion and on the other hand in respect of some promoted candidates disciplinary proceeding was pending and they were promoted subject to the final result of the departmental proceeding. Though the petitioner was exonerated from the departmental proceeding a long time back, he was not promoted to the post of Labour Superintendent.

4. It is also contended that the petitioner will retire on superannuation on 31st of October, 2024.

5. Having heard the learned Advocate on behalf of the petitioner as well as learned Advocate on behalf of the respondents, the instant writ petition is disposed of directing the Respondent No. 1 to dispose of the representation of the petitioner (Annexure 7) by a reasoned and speaking order after giving opportunity to him, if necessary, within three weeks from the date of this order.



6. With the above order, the instant writ petition is
disposed of.

(Bibek Chaudhuri, J)

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