

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18193 of 2022

1. Kundan Kumar Son of Late Naresh Mohan Mahto Resident of Shivpuri Colony, Ishakchak, P.S.- Ishakchak, District- Bhagalpur.
2. Raj Kumar Gupta Son of Sri Madan Prasad Gupta Resident of Sadbhawna Nagar, Road No. 18, Nayachak, Khemnichak, P.S.- Ramkrishna Nagar, District- Patna.
3. Prabhash Kumar Deo Son of Satya Narayan Deo Resident of Ward No. 03, P.S.- Forbesganj, District- Araria.
4. Ashok Kumar Son of Badri Saw Resident of village- Chaturbhuj Piprahi, P.S.- Laukaha, District- Madhubani- 847421.
5. Onkar Nath Son of Sri Dhananjay Yadav Resident of Village- Biratpur, P.S.- Basopatti, District- Madhubani- 847225.
6. Dhruwa Kumar Son of Sri Adhik Kumar Resident of villge- Birnigariya Bhang, P.S.- Barahat, District- Banka.
7. Sanjeev Kumar Son of Sri Mahadeo Prasad Yadav Resident of village- Ramganj, P.S.- Kumarkhand, District- Madhepura.
8. Babloo Kumar Son of Sri Chandrika Yadav Resident of village- Paraiya (Rohi Bigha), P.S.- M.U. Bodhgaya, District- Gaya.
9. Avinash Kumar Son of Sri Rameshwar Prasad Singh Resident of Pakribrawan, P.S.- Pakribrawan, District- Nawada.
10. Kumar Rajnish Son of Sri Narendra Kishore Prasad Sinha Resident of Dumka, P.S.- Dumka, District- Dumka.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
2. The Additional Chief Secretary, Road Construction Department, Bihar, Patna.
3. The Deputy Secretary (Management Cell), Road Construction Department, Bihar, Patna.
4. The Under Secretary (Management Cell), Road Construction Department, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Prabhu Nath Pathak, Advocate
For the Respondent/s	:	Mr.Sushil Kumar (Gp22)
		Mr.Rakesh Ranjan, AC to GP-22

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-04-2024

1. The present writ petition has been filed seeking the



following relief(s):-

“1(A) That by this application, the Petitioners invoking writ/writs for quashing the Notification No. 5619(s), dated 11.11.2022 issued by the Under Secretary, Management Cell, Road Construction Department, Bihar, Patna whereby and whereunder the vacancies of Assistant Engineer under AMIE or equivalent quota, has been filled up by diploma holders Junior Engineer, which is contrary to the Resolution No. 5008(s), dated 22.07.1998 issued by the Special Secretary, Road Construction Department, Bihar, Patna.

(B) That, by this application, the Petitioners are further invoking the writ jurisdiction of this Hon'ble Court in the nature of Writ of Mandamus for directing the Respondents to consider the officiating promotion In-charge Assistant Engineer under AMIE or equivalent quota as per Resolution No. 5008(s) dated 22.07.1998 issued by the Road Construction Department, Bihar, Patna.”

2. At the outset, the learned counsel for the petitioners submits that he has instruction from the petitioners to submit that though promotions have been granted under the AMIE quota to the post of Assistant Engineer, however, some irregularities have been detected by them in the merit list, hence



the petitioners be granted liberty to approach the respondent no.2 i.e. the Additional Chief Secretary, Road Construction Department, Government of Bihar, Patna for redressal of their subsisting grievances. Liberty so sought is granted.

3. The present writ petition stands disposed off as not pressed.

(Mohit Kumar Shah, J)

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