

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.648 of 2024

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Anand Prakash S/o Rama Kant Pathak R/o Near Kawaladaha Pokhar,
Mahatma Gandhi Nagar, Buxar, Gajadhar Ganj, Bihar- 802103 Presently
posted as District Statistical Officer, Munger

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Planning and Development, Govt. of Bihar, Old Secretariat, P.O.- Sachivalay, Patna.
2. The Additional Chief Secretary, General Administration Department, Govt. of Bihar, Old Secretariat, P.O.- Sachivalay, Patna.
3. The Joint Secretary Department of Planning and Development, Govt. of Bihar.
4. Deputy Secretary, Directorate of Economics and Statistics, Planning and Development Department, to Government of Bihar
5. The Director, Directorate of Economics and Statistics, Planning and Development Department, Old Secretariat, Patna, Bihar.
6. The District Magistrate, Chapra
7. Smt. Rashmi, Deputy Director (Statistics), Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar, Adv.
For the Respondent/s : Dr.Shobha Choubey, AC to GP-19

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-02-2024 1. The present writ petition has been filed seeking the
following relief(s):-

*“1.a.) To issue an appropriate writ in the nature
of Certiorari for quashing the resolution having
Gyapank No. Yo/Stha/05/1-06/2023 4815/Yo
dated 20.10.2023 (Annexure- P1) whereby and
whereunder his juniors in the gradation list were
promoted to the post of Deputy Director
(Statistics) by passing the seniority of the
petitioner in the gradation list.*



b.) To issue an appropriate writ in the nature of Mandamus commanding the respondents to grant promotion to the of post Deputy Director (Statistics), maintaining the seniority with effect from 20.10.2023 i.e the day Respondent No. 7 namely Smt. Rashmi, Deputy Director (Statistics), Patna had been promoted to post of the Deputy Director(Statistics) who was at Sl.No. 7 in the common gradation list of 2023.

c.) To issue an appropriate writ in the nature of Certiorari for quashing gyapank 2848 dated 14.06.2023 (Annexure-P8) whereby and whereunder petitioner have been given "Warning" after disciplinary proceeding without considering his reply.”

2. At the outset, the learned counsel for the petitioner submits that the respondent-authorities be directed to consider the case of the petitioner for grant of promotion on the post of Deputy Director (Statistics), maintaining his seniority with effect from 20.10.2023, the date from which the respondent no.7 has been granted promotion on the said post. It is directed accordingly.

3. It is needless to state that the respondent-authorities shall be obliged to consider the case of the petitioner for grant of promotion, in accordance with law, by taking appropriate decision, within a period of six weeks of receipt/production of a



copy of this order.

4. The writ petition stands disposed off on the
aforesaid terms.

(Mohit Kumar Shah, J)

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