

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.485 of 2024

Arvind Kumar S/o Late Dasu Singh R/o Vill.- Harnaha Tola, Police Station- Chowk, Patna City, Patna, Bihar- 800008, Presently posted as Assistant Statistical Officer, -cum- Incharge District Statistical Officer, Vaishali at Hajipur.

... .. 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 Principal Secretary, General Administration Department, Govt of Bihar, Old Secretariat, P.O. Sachivalay, Patna.
3. The Director, Directorate of Economics and Statistics, Planning and Development Department, Old Secretariat, Patna, Bihar.
4. The Joint Director (Administration), Directorate of Economics and Statistics, Planning and Development Department, Old Secretariat, Patna, Bihar.
5. Sunil Kumar Singh, Seniority sl. no.- 1476, District Statistical Officer, Samastipur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar, Advocate.
For the Respondent/s : Government Pleader 20

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

3 28-11-2024 Heard learned counsel appearing on behalf of the petitioner and learned counsel for the State.

2. The petitioner in paragraph no. 1 of the present writ petition has sought, inter alia, following relief(s), which is reproduced hereinafter:-

“a.) To issue an appropriate writ in the nature of certiorari for quashing the resolution having Gyapank No Yo/Stha/05/1-06/2023 5293/Yo dated 28.11.2023 (Annexure- P1) whereby and whereunder juniors in the



gradation list were promoted to the post of District Statistical officer /Assistant Director (Statistics) bypassing the seniority of the petitioner who is at sl 1470 in the gradation list.

b.) To issue an appropriate writ in the nature of mandamus commanding the respondents to consider the representation of the petitioner dated 04.12.2023 (Annexure P5) and grant promotion to the petitioner (having seniority sl no 1470) to the post of Assistant Director(Statistics)/ District Statistical officer, maintaining the seniority in the gradation list with effect from 28.11.2023 i.e the day Respondent No 6 namely Sunil kumar singh (Seniority sl no 1476), Districts Statistical officer, samastipur had been promoted to post of the Assistant Director (Statistics)/ District Statistical officer.

c.) Pass any other or further order as this Hon'ble Court may deem fit and proper in the interest of justice."

3. Learned counsel appearing on behalf of the petitioner seeks to file representation before the concerned authority for considering his grievance for promotion in light of the law laid down by the Apex Court in the case of **Union of India & Ors. Vs. K. V. Jankiraman & Ors.**, reported in (1991) 4 SCC 109.

4. Considering the fact that the petitioner has restricted his relief to the above extent, the petitioner, if so advised, may file representation before the concerned respondent for considering his case to be decided in light of the law laid down by the Apex Court in the case of **Jankiraman (supra)** and the authority concerned is directed to decide the representation of the petitioner expeditiously in accordance with law.



5. With the above observation/direction, the writ
petition stands disposed of.

(Purnendu Singh, J)

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