

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6698 of 2025

Vikas Kumar Sinha Son of Akhileshwar Prasad Sinha, Resident of Bengali Road, Mithapur B Area, Behind Annie Besant National School, P.O.- G.P.O., P.S.- Jakkanpur, District- Patna, Pin Code- 800001.

... .. Petitioner/s

Versus

1. The State of Bihar the Additional Chief Secretary, General Administration Department Bihar, Patna.
2. The Additional Chief Secretary, Finance Department, Bihar, Patna.
3. The Secretary, Prohibition, Excise and Registration Department, Bihar, Patna.
4. The Excise Commissioner, Prohibition, Excise and Registration Department, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Abhinav Srivastava, Sr. Advocate
	:	Mr. Pushkar Bharadwaj, Advocate
For the Respondent/s	:	Mr. Standing Counsel (26)

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 07-08-2025 Heard the parties.

2. The petitioner has approached this Court for the following reliefs:-

“(i) Issuance of a direction, order or writ, including writ in the nature of mandamus commanding the concerned respondent authorities under the Prohibition, Excise and Registration Department of the State Government to take steps towards making necessary correction in the date of promotion granted in favour of the petitioner against the post of Deputy Commissioner, Prohibition in pay level-12 as in place of 31.05.2018 the petitioner has been granted the said promotion w.e.f. 22/06/2018;



(ii) Issuance of a direction, order or writ, including writ in the nature of mandamus commanding the concerned respondent authorities to extend all consequential benefits in favour of the petitioner after granting him promotion against the post of Deputy Commissioner; Prohibition in the services of the Prohibition, Excise and Registration Department of the State Government w.e.f. 31/05/2018;

(iii) Issuance of a declaration holding that the petitioner is entitled for grant of promotion against the post of Deputy Commissioner; Prohibition in the services of the Prohibition, Excise and Registration Department of the State Government w.e.f. 31/05/2018 i.e. the date from which a person similarly situated as the present petitioner and also a person junior to the petitioner and also a person junior to the petitioner have been granted the said promotion.

(iv) Any other relief that the petitioner may be found to be entitled to in the facts and circumstances of the present case.”

3. Mr. Abhinav Srivastava, learned senior Advocate, at the outset submitted that while the claim of the petitioner for promotion was pending consideration and in the meanwhile he was also facing a departmental proceeding, thus, the matter with regard to the promotion of the petitioner was kept under sealed cover. However, subsequently the disciplinary proceeding culminated into exoneration from all the charges as contained in



Memo No. 2769 dated 02.08.2019. On the aforesaid premise the petitioner has been accorded promotion, but belatedly w.e.f. from 21.06.2018, instead of 31.05.2018 the date on which his promotion was found due.

4. It is the specific contention of the learned Senior Advocate that during the interregnum period the persons junior to the petitioner and identically situated, they have been extended promotion earlier w.e.f. from 31.05.2018 and thereby given seniority over the petitioner. For ventilating the grievance, the entire facts have been brought to the notice of the Secretary, Prohibition Excise and Registration Department, Bihar, Patna, the copy of which is also placed on record as Annexure-P/17.

5. Learned Advocate for the state prays for a short adjournment to seek instruction.

6. Considering the limited grievance of the petitioner, this Court, for the ends of justice, deems it appropriate to dispose of the writ petition with a direction to the Secretary, Prohibition Excise and Registration Department, Bihar, Patna to take up the representation of the petitioner and bring to its logical conclusion after considering all the claims and averments made therein, as also in the light of the resolution dated 11.09.2002, the copy of which is also marked as



Annexure-P/15, preferably within a period of eight weeks from the date of receipt/production of copy of this order.

7. The writ petition stands disposed of.

(Harish Kumar, J)

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