

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7065 of 2025

=====

Lal Saheb Singh Son of Late Dukhi Singh, Resident of Chetna Samiti, Sri Nagar, North of A.G. Colony, P.O. and P.S.- Ashiyana Nagar, District- Patna.

... .. Petitioner/s

Versus

1. The Bihar State Power (Holding) Company Limited through its Chairman-Cum-Managing Director, Bihar State Power Holding Company Ltd.
2. The Chairman-Cum-Managing Director, Bihar State Power Holding Company Ltd.
3. The General Manager, HR and Administration, Bihar State Power Holding Company Ltd.
4. The Under Secretary, Bihar State Power Holding Company Ltd.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Pranav Ranjan, Advocate
For the Respondent/s : Mr. Vivek Prasad, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 15-09-2025 Heard the learned counsel for the petitioner and the learned counsel for the Bihar State Power (Holding) Company Limited (herein after referred as Power Company).

2. The present writ application has been filed with a prayer for grant of the following relief(s):-

(i) For issuance of an appropriate writ, order, or direction, including a writ in the nature of mandamus, commanding the respondent authorities to grant promotion to the petitioner to the post of Electrical Superintending Engineer with effect from 19.05.2001, i.e., the date from which the petitioner's immediate



junior, Sri Brij Nandan Prasad, was promoted, along with all consequential benefits including revision of pension and other post retiral benefits, arrears of difference of pension and interest at the rate of 12% from the date of actual due till date of payment;

(ii) For issuance of an appropriate writ, order, or direction, including a writ in the nature of mandamus, directing the respondent authorities to designate the petitioner as Chief Engineer (Look After) with effect from 29.01.2003, i.e., the date from which his immediate junior was granted such designation;

(iii) For awarding the cost of the present writ petition in favour of the Petitioner and against the Respondents.

3. The learned counsel for the petitioner submits that the petitioner is entitled for his promotion as his promotion was withheld because he was accused in a vigilance case and now, he has been acquitted in the vigilance case. He has also relied upon the judgments of this Court in the case of ***Ramesh Kumar Sinha V/s Bihar State Power (Holding) Company Limited & Ors***, reported in ***2022 SCC OnLine Pat 1772*** and in the case of ***Lal Mohan Sharma V/s the State of Bihar through the Chief Secretary (Home) & Ors***, reported in ***2019 SCC OnLine Pat 1876***.

4. Mr. Prasad, learned counsel for the Power



Company submits that because of the pendency of the Vigilance Case, the petitioner was not being considered for promotion and because of the letter of the General Administration Department of the Govt. of Bihar.

5. Having considered the submissions of the parties, the Chairman-cum-Managing Director, Bihar State Power Holding Company Ltd., (Respondent No. 2) is directed to consider the case of the petitioner for promotion to the post of Electrical Superintending Engineer with effect from 19.05.2001, i.e., the date from which the petitioner's immediate junior was promoted, along with all consequential benefits including revision of pension and other post retiral benefits, arrears of difference of pension and interest at the rate of 12% from the date of actual due till date of payment; in view of the judgments of this Court in the case of **Ramesh Kumar Sinha (Supra)** and in the case of **Lal Mohan Sharma (Supra)** and in view of the fact that the petitioner has been exonerated in the criminal case.

6. The consideration must be done within three months from the date of receipt/communication of a copy of this order, and thereafter, the respondent authorities shall pass a speaking order. The copy of the this writ petition shall be considered as a representation.



7. With the aforesaid observation and direction, this application is allowed.

(Sandeep Kumar, J)

Shishir/-

U			
---	--	--	--

