

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.588 of 2021

In

Civil Writ Jurisdiction Case No.10140 of 2019

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1. The State of Bihar Bihar, Patna.
 2. The Principal Secretary, Labour Resources Department, Government of Bihar, Patna.
 3. The Director, Employment and Training, Labour Resources Department, Government of Bihar, Patna.

... .. Appellant/s

Versus

Satya Prakash Sinha Son of Late Tara Prasad Sinha, Resident of Flat No. G2(B), Girija Garden Apartment, Mohalla - New Punaichak, P.S. - Shastri Nagar, District – Patna.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Anuj Kumar (A.C. To G.P.24)
For the Respondent/s	:	Mr.
In person	:	Mr. Ajay Kumar, Asst. Director, Labour Resource Dept.

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

6 22-07-2025 Appellants have assailed the order of the learned Single Judge dated 18.12.2019 passed in CWJC No. 10140 of 2019. Core issue involved in the present lis is whether respondent – *Satya Prakash Sinha* is entitled to be promoted to the post of Employment Officer from the feeder cadre of Junior Employment Officer or not.

2. Undisputedly, rules of recruitment governing the post of Employment Officer was of the year 1988 and it is by 75% direct recruitment and 25% by promotion. Feeder cadre seniority list of Junior Employment Officer was notified on



25.07.2013 in which respondent – *Satya Prakash Sinha's* name appears at serial no. 2. Thereafter, in the year 2017 rules of recruitment governing the post of Employment Officer was amended.

3. Be that as it may, respondent – *Satya Prakash Sinha's* name is required to be considered under the old Rules of the year 1988 with reference to his eligibility and occurrence of vacancy. The appellants have not apprised this Court that no vacancies have occurred for the purpose of promotion to the post of Employment Officer during the period from 25.07.2013 to till amendment of Rules of Recruitment in the year 2017 so as to deny the promotion to the post of Employment Officer to the respondent – *Satya Prakash Sinha*.

4. In the light of these facts and circumstances, the appellants have not made out a case so as to interfere with the order of the learned Single Judge dated 18.12.2019 passed in CWJC No. 10140 of 2019. Accordingly, LPA No. 588 of 2021 stands dismissed. Pending I.A.(s) if any, stands disposed of.

(P. B. Bajanthri, J)

(S. B. Pd. Singh, J)

Ankit Kumar/-

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