

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15504 of 2025

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Rakesh Kumar Mishra Son of Late Lalan Mishra, Resident of Mohalla- B- 38,
Ward No. 10, 27 ke Konapur, Manohar Mandir, Gardanibagh, P.O. Anisabad,
P.S.- Phulwari, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Joint Secretary, General Administration Department, Govt. of Bihar, Patna.
3. The Secretary, Bihar Legislative Assembly Secretariat, B.L.A, Patna.
4. The Director, Bihar Legislative Assembly, Patna, Bihar.
5. The Deputy Secretary, Bihar Legislative Assembly, Patna.
6. The Under Secretary, Bihar legislative Assembly, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Mishra, Advocate
For the Respondent/s : Ms. Divya Verma A. C. to AAG 3

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 13-11-2025 1. Heard learned counsel for the petitioner and
learned counsel for the respondents.

2. The petitioner has filed the instant application
for the following reliefs:

*“(I) For issuance of a writ of mandamus or
appropriate or any other writ/writs order/orders,
direction/directions directing the respondents to
grant promotion on the basis of seniority where
the juniors have become senior to the petitioner
ignoring the law of Equality and violative of
Article 14 of Constitution.*



(II) For issuance of a writ of certiorari or appropriate or any other writ/writs, order/orders direction/directions for directing the respondents to enquire the entire matter of seniority and provide the seniority with immediate effects.

(III) To quash the Notification No. 01 स्था० 91/2024-1668/1669 वि० स० dated 04.07.2025 issued by Under Secretary, Bihar Legislative Assembly, Secretariat, Patna.

(IV) To grant of any other relief/reliefs for which the petitioner is entitled in the facts and circumstances of the case.”

3. At the outset, it is submitted by learned counsel for the respondents that the petitioner has challenged the seniority list in the notification dated 4.7.2025 (Annexure-P/4) wherein as per the petitioner's case he has been wrongly placed at serial no.57 of the said list and he should have been placed at serial no.33.

4. Learned counsel for the respondents further submits that the application is fit to be rejected on the ground of non joinder of necessary parties as respondents ie the persons whose name figures from serial no.33 to 56 in the seniority list at Annexure-P/4.

5. Having heard the objections raised, learned counsel for the petitioner prays for disposal of the writ application



enabling him to file a representation before the respondents for the relief prayed for in the instant application.

6. Let the petitioner file a representation before the Secretary, Bihar Legislative Assembly Secretariat, Bihar Legislative Assembly, Patna (respondent no.3) within a period of four weeks. In case such a representation is filed within the aforesaid period, the same shall be decided by the respondent concerned expeditiously and preferably within a period of three months from the date of its filing. In case, the representation of the petitioner does not find favour with the respondent, reasoned order for the same shall be communicated to the petitioner within the aforesaid period.

7. It is made clear that the Court has not gone to the merits of the case of the petitioner which is to be decided by the respondent concerned.

8. The writ petition stands disposed of with the above observations and directions.

(Partha Sarthy, J)

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