

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19337 of 2024

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Umesh Prasad Singh son of Matuki Singh @ Matukdhari Singh, resident of Vilage-Pirari, P.O. Fakuli, P.S. Rivilganj, District-Saran at Chapra, presently working as Peon cum Driver of Principal, M.S.K.B. College, Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Government of Bihar, Patna.
3. The Director Higher Education, Education Department, Government of Bihar, Patna.
4. The Vice Chancellor, B.R.A. Bihar University, Muzaffarpur.
5. The Registrar, B.R.A. Bihar University, Muzaffarpur.
6. The Principal, M.S.K.B. College, Muzaffarpur, District-Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar Singh
For the State	:	Mr. Government Pleader (23)
For the BRAU	:	Mr. Bindhyachal Rai

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-01-2025 Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the University.

2. By filing the present writ application, the petitioner has prayed for the following reliefs:

I) For issuance of an appropriate writ in the nature of Mandamus commanding and directing the respondent Authorities to grant promotion to the petitioner against Class-III post on the basis of his eligibility and seniority in services of the University/College as Class-IV employee on the ground that similarly



situated persons even junior to the petitioner working in the different colleges/University were granted promotion by the respondent University pursuant to the different orders passed by the respondent University such as recently the respondent University had granted promotion to 13 Class-IV employees working in different colleges vide office order contained in memo no. B/2974 dated 24.10.2024 issued under the signature of the respondent no.5 pursuant to the order dated 31.08.2023 passed in C.W.J.C. No. 9230 of 2023, but the respondent University ignored the promotion of the petitioner for no reason whatsoever.

II) For issuance of an appropriate writ in the nature of Mandamus commanding and directing the respondent Authorities to grant promotion to the petitioner to Class-III post since the date when the juniors or similarly situated persons were granted such promotion as well as the consequential monetary benefits from the date of his entitlement.

III) For issuance of an appropriate writ/writs, order/orders, direction/directions for which the writ petitioner shall be found entitled under the facts and circumstances of the case.

3. At the very outset, learned counsel for the petitioner submits that the case of the petitioner is squarely covered with the order dated 17.02.2020 passed in C.W.J.C. No. 18572 of 2019 which has been followed by another order passed by this



Court in C.W.J.C. No. 10808/2021 and C.W.J.C. No. 4125/2021, hence the present writ petition can also be disposed of in similar terms with consequential benefits.

4. In view of the fair submission made by learned counsel for the petitioner, in my view, no useful purpose would be served keeping this writ application pending.

5. Considering the aforesaid discussions, I deem it proper to direct the petitioner to file a detailed representation before the Registrar, B.R.A. Bihar University, Muzaffarpur (respondent no. 5) along with the supporting documents within a period of four weeks from the date of receipt/production of a copy of this order and the respondent no. 5 is directed to consider the representation of the petitioner and pass a reasoned and speaking order in accordance with law and in light of the order dated 17.02.2020 passed in C.W.J.C. No. 18572 of 2019 within ten weeks from the date of receipt of the representation of the petitioner after affording an opportunity of hearing to the petitioner or his counsel.

6. In case, it is found that the petitioner is similarly situated and his case is standing on similar footing with the petitioners of C.W.J.C. No. 18572 of 2019, C.W.J.C. No. 10808 of 2021 and C.W.J.C. No. 4125 of 2021, the University as well



as the State shall be obliged to take necessary decision with regard to the petitioner towards grant of promotion and other consequential benefits.

7. The entire exercise must be completed within a period of twelve weeks.

8. With the aforesaid direction, this writ application stands disposed of.

(Anjani Kumar Sharan, J)

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