IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12040 of 2016

CNR No. BRHC010086322016

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Karelal Yadav, son of Late Tetar Prasad Yadav, Posted as a Mali (Jalkal) Kashturba Water Works, Municipal Corporation, Munger.

... ... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
3. The Commissioner, Munger Division, Munger.
4. The District Magistrate, Munger.
5. The Nagar Ayukta, Munger Municipal Corporation, Munger.
6. The Chairman, Munger Municipal Corporation, Munger.

... ... Respondent/s

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Appearance :
For the Petitioner/s : Mr. Shambhu Sharan Singh, Advocate
For the State : Mr. Kumar Satyam, AC to AAG – 11
For the Municipal Corp. : Mr. K. N. Sahay, Advocate

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CORAM: HONOURABLE MR. JUSTICE RANA VIKRAM SINGH

ORAL ORDER

2 06-11-2026 After some arguments, Mr. Shambhu Sharan Singh, learned counsel appearing on behalf of the petitioner prays that the petitioner would be satisfied if a direction is given to the respondent concerned to consider his case for promotion in view of the fact that any of the similar situated person, if has been considered for promotion, then the petitioner has also right to be considered for promotion.

2. The only claim the petitioner is making that he has a right to consideration for promotion applying the principle

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of parity if any persons of his rank, having similar qualification, has been considered for promotion.

3. In the wake of the submissions advanced on behalf of the petitioner, learned counsel appearing on behalf of the Municipal Corporation, Munger, fairly submits that if the petitioner files a representation bringing on record the names of such persons who were holding the same rank as that of the petitioner and possessed the same qualifications, and who have been considered for promotion, the petitioner would also be entitled to consideration for promotion on the same footing.

4. Learned counsel for the State is, however, present.

5. In view of the such fair stand taken by the learned counsel appearing on behalf of the respondent, this writ petition is disposed of with liberty to the petitioner to file a representation before the competent authority, *i.e.*, Municipal Commissioner, Munger, (respondent No. 5), raising all the issues supported with necessary documents in order to prove his claim of parity and if such an application is filed within a period of four weeks henceforth, the respondent No. 5 shall consider the same, applying the principle of parity, if it is found applicable in the case of the petitioner, then a necessary order may be passed in

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consonance with the extant rules within eight weeks thereafter.

6. Accordingly, this writ petitioner is disposed of with aforesaid liberty.

(Rana Vikram Singh, J)

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