

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3514 of 2026

1. Nand Kishore Prasad Son of Late Badri Narayan Prasad, Resident of Mohalla- Madhopur (Panchu Mistri Gali), P.O.- Basudeopur, P.S.- Kotwali, District Munger.
2. Md. Imtiyaz @ Md. Imtiyaj, Son of Md. Mumtaz, Resident of Mohalla Hazrat Ganj, Khankah Gali No.- 10, P.O.- Munger, P.S.- Kasim Bazar, District Munger.
3. Uday Chandra, Son of Late Nathuni Lal Das, Resident of Mohalla- Sri Krishna Road, Near Kalibari Asthan, Lallu Pokhar, P.O.- Munger, P.S.- Kasim Bazar, District- Munger.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, General Administration Department, Govt. of Bihar, Patna.
3. The Registrar General, Patna High Court, Patna.
4. The Registrar (Administration), Patna High Court, Patna.
5. The District and Sessions Judge, Munger.
6. The In Charge Administration, Civil court, Munger.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Siya Ram Shahi, Advocate Mr. Nafisuzzoha, Advocate Ms. Shabina Talat, Advocate
For the State	:	Mr. Yogendra Pd. Sinha, AAG-7
For the Patna High Court:		Mr. Piyush Lall, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 17-03-2026

Heard learned counsel for the parties.

2. The petitioners have filed the instant application for
the following relief (s) :-

“1. I. Issue an appropriate writ, order or direction, including a writ in the nature of Mandamus, commanding the respondents to reconsider and grant promotion to the petitioners from Class-IV to Class-III posts, strictly in accordance with the Bihar Civil Court Staff (Class-III & Class-IV) Rules, 2009,



on the basis of their due selection in the promotion process held on 05.05.2013, the issue of equivalence and protection of the qualification of Sahitya Alankar having already been conclusively settled and decided by the Government of Bihar vide notification issued by General Administration Department by Notification no.-5267 dated 08.04.2016 (ANX-P/7) and notification no.-10878 dated 24.08.2017 (ANX-P/8) as well as the binding orders/judgments of this Hon'ble Court, and to grant such promotion with effect from the date on which the petitioners' immediate juniors were promoted, along with all consequential service benefits including fixation of seniority, pay, increments and other admissible monetary benefits, together with arrears thereof.

II. Issue an appropriate writ, order or direction, including a writ in the nature of Certiorari, quashing and setting aside letter dated 30.11.2013 and 06.12.2013 (ANX-P/2 series), whereby the promotion of the petitioners from Class-IV to Class-III posts was declined, the said orders having been passed without issuance of any show-cause notice or affording an opportunity of hearing, in violation of the principles of natural justice.

III. Declare that the qualification of Sahitya Alankar awarded by Hindi Vidyapeeth, Deoghar, obtained by the petitioners prior to 07.05.2012, is a valid and protected qualification equivalent to graduation for the purpose of promotion to Class-III posts, and that denial of promotion to the petitioners on the said ground is unsustainable in law.

IV. Pass such other or further order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case, in the interest of justice.”



3. At the outset, it is submitted by learned counsel for the respondents that the petitioners moved this Court earlier for identical relief vide CWJC no.4649 of 2014 (Nand Kishore Prasad & Ors. vs. the Patna High Court & Ors.), which was dismissed by judgment dated 22.2.2016. Further the petitioners preferred L.P.A. no.679 of 2016, which was also dismissed by judgment dated 27.10.2016. Further, in reference to the statement made in paragraph no.15 of the petition, it is submitted that S.L.P (C) no. 18339 of 2018 preferred by the petitioners was also dismissed by the Hon'ble Supreme Court on 21.10.2019.

4. In view of the facts and circumstances of the case, the Court finds no merit in the instant writ application, the matter having been concluded till the Hon'ble Supreme Court.

5. The application is dismissed.

(Partha Sarthy, J)

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