

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7346 of 2025

Jitendra Kumar Son of Late Rameshwar Lal Chouhan, resident of 305-A, Girija Garden Apartment, Near S.B.I. Rajbanshi Nagar Branch, New Punaichak, Post Office Shastrinagar, Police Station Shastrinagar, District and Town Patna, Bihar, presently posted as Under Secretary in the Prohibition, Excise and Registration Department, Government of Bihar, Patna

... .. Petitioner/s

Versus

1. The State of Bihar represented through the Chief Secretary, Government of Bihar, Patna
2. The Additional Chief Secretary, General Administration Department Government of Bihar, Patna
3. The Additional Secretary, General Administration Department Government of Bihar, Patna
4. Umesh Prasad Gupta, Presently Posted as Deputy Secretary in water Resources Department, Government of Bihar, Patna
5. Pramod Kumar, presently posted as Deputy Secretary in Vigilance Department, Government of Bihar, Patna
6. Anjani Kumar Sahai, presently posted as Deputy Secretary, Urdu Directorate, Cabinet Secretariat Department, Government of Bihar, Patna
7. Rajeev Barnard Kujur, presently posted as Deputy Secretary in Water Resources Department, Government of Bihar, Patna

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Kumar Ravish, Adv.
For the Respondent/s : Mr.K.K. Singh, AC to GP22

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-03-2026 Heard Learned Counsel for the petitioner and
Learned Counsel for the State.

2. The present writ petition has been filed with the following reliefs:-

*a. To quash and set aside Annexure P/10
i.e. an order contained in Memo No. 6483 dated
9.4.2025 issued under the signature of the*



Respondent No. 3 by which a representation dated 18.03.2025 (Annexure P/9) filed by this petitioner was rejected and he was held to be not entitled for promotion to the post of Deputy Secretary from the present post of Under Secretary from the date his first junior, namely, Shri Umesh Prasad Gupta was promoted as Deputy Secretary in Level 12 of Pay on 09.12.2024 (Annexure P/8).

b. To hold and declare that the petitioner is entitled for his promotion to the post of Deputy Secretary in Level 12 from the date his first junior, above named, was promoted on 09.12.2024 (Annexure P/8).

c. To direct for payment of consequential benefits as per the extant norms of the State Government from the date of joining of the junior to the promoted post and with a further direction to pay arrears thereof forthwith.

d. To direct for payment of cost of this litigation.

3. Learned counsel for the petitioner submits that the counter-affidavit has been filed in which no any relief was accepted, but subsequently, after filing the counter-affidavit, they have granted benefit to the petitioner only grievance left that the date of effect of granting benefit has to be shifted back from the date of one junior (respondent No.4) to the petitioner. He further submits that during pendency of the writ petition,



junior to the petitioner has granted further benefits.

4. In the light of the submissions made, it transpires to this Court that the question of second promotion is basically another cause of action for which the petitioner has to file a fresh writ petition. So far as the shifting of date of promotion is concerned, the present writ petition is hereby disposed off directing the petitioner to file a representation before the concerned authority with all supportive documents within 30 days along with this order and the concerned authority shall grant benefit to the petitioner from a particular date as demanded within 90 days after receiving the same.

5. So far as I.A. No.1 of 2026 is concerned, which has been filed in the present writ petition, the said I.A. is also disposed off in the light of liberty granted above.

6. With the aforesaid directions and observations, the present writ application stands disposed off.

(Dr. Anshuman, J)

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