

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8697 of 2024

1. Ashok Kumar Ram Shio Prasad Ram, Resident of Village and P.O. Ramgarh, P.S.- Siswan, District- Siwan, Bihar.
2. Sheo Shanker Kumar Kanaugia, Son of Late Ram Lochan Baitha, Resident of Village and P.O. - Tinkoni, P.S.- Darpa, District - East Champaran, Bihar.
3. Savita Kumari, Wife of Arvind Kumar Arun, Resident of House No. 9, Road No. 5. Mohalla- Indrapuri, P.S.- Patliputra, District Patna, Bihar.
4. Sanjeev Kumar, Son of Nageshwar Mandal, Resident of Mohalla Mica Colony. P.S.- Digha, District-Patna, Bihar.
5. Sanjit Kumar, Son of Ayodhya Lal, Resident of Village- Chandi Asthan, P.S.- Amas, District- Gaya, Bihar.
6. Lalan Ram, Son of Late Jangali Ram, Resident of Village - Gopalpur Neura, P.S.- Saraiya, District-Muzaffarpur, Bihar.
7. Kumar Anand, Son of Late Thakur Prasad Singh, Resident of Village Sanha Naya Tola, P.S.- Sahebpur Kamal, District - Begusarai, Bihar.
8. Baijanath Prajapati, Son of Late Mahavir Ram Prajapati, Resident of Village Mohitpur, P.S.- Seraikella, District - Seraikella- Kharsawn, Jharkhand.
9. Rakesh Paswan, Son of Late Munshi Ram, Resident of Village- Barki Tand, P.S.- Dugda, District Bokaro, Jharkhand.
10. Ranjeet Kumar Kushwaha, Son of Late Bijali Mahto Resident of Village- Purani Bazar, Narkatiyaganj, P.S.- Sikarpur, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Labour Resources Department, Govt. of Bihar, Niyojan Bhawan, Bailey Road, Patna.
2. The Special Secretary, Labour Resources Department, Bihar, Patna.
3. The Deputy Secretary, Labour Resources Department, Bihar, Patna.
4. The Under Secretary, Labour Resources Department, Bihar, Patna.
5. The Director, Directorate of Employment and Training, Bihar, Patna.
6. The Additional Chief Secretary, General Administration Department, Bihar, Patna.
7. The Labour Resources Department, Govt. of Bihar through the Principal Secretary, Labour Resources Department, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Vikash Kumar Pankaj, Advocate
For the Respondent/s : Mr. Addl. Advocate General 4

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 05-02-2026

Heard learned counsel for the petitioners and learned



counsel for the State.

2. The present writ petition has been filed for the following relief/s:-

“I. For necessary direction in the nature of writ of Mandamus commanding respondent authorities to grant regular promotion to the petitioners' w.e.f. the availability of the vacancy and completion of time period, on the post of Principal (Level-11) with all consequential benefits, as the petitioners are presently posted and discharging the duties on the post of Vice- principal (Level -9) in different government Industrial Training Institutes (Hereinafter, referred as ITI's) of Bihar having become eligible in all respect with respect to their quota of 25% vacancies earmarked to be filled amongst the Vice- Principals of it is running under the Directorate of Employment & Training of respondent Labour Resources Department.

II. For necessary direction in the nature of writ of Mandamus commanding respondent authorities to treat the promotion of the Petitioners to the post of Vice-principal granted vide Notification contained in Memo No.



01/13/2023...95 dated 28.12.2023 (Annexure - P/1) as regular and not as "temporary work arrangement in-charge capacity" since the Petitioners have already completed much more than requisite time period required for the promotion to the post of Vice-principal (Level -9) from the post of Group Instructor (Level-7).

III. For the issuance of writ in the nature of writ of Certiorari to modify the Notification contained in Memo No. 01/13/2023...95 dated 28.12.2023 (Annexure - P/1) to the extent whereby the Petitioners despite being eligible in all aspect has been granted promotion to the post of Vice-principal as "temporary work arrangement in-charge capacity".”

3. Learned counsel for the State raised a preliminary objection and submits that as a policy matter, the claim of the petitioners and other similarly situated person has already been rejected and in this regard, an order has also been passed contained in Memo No. 5066 dated 11.04.2019 (annexed as Annexure-A to the counter affidavit).

4. In response thereof, learned counsel for the



petitioners submit that the petitioners have filed several representations before the authorities, but the matter remains stand still. The petitioners' Association has also filed representation dated 19.01.2024 (annexed as Annexure-P/5 of the writ petition), which was received in the office on 22.01.2024, but on the said representation, no decision has been taken as yet.

5. In the light of the submissions made and without entering into the merit or demerit of the case, this Court hereby directs the Principal Secretary, Labour Resources Department, Government of Bihar, Patna to pass a reasoned and speaking order on the petitioners' representation (annexed as Annexure-P/5 of the writ petition), within 90 days from the date of production of a copy of this order.

6. Accordingly, with the aforesaid direction, this writ petition stands disposed off.

(Dr. Anshuman, J)

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