

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.594 of 2024

In

Miscellaneous Jurisdiction Case No.2078 of 2018

Shiopujan Baitha, aged about 80 years, Gender-Male, S/o Late Morha Baitha, Resident of Mohalla- Adarsh Colony, West Patel Nagar, Post office- Shastri Nagar, Police Station- Shastri Nagar, District- Patna, PIN- 800023.

... .. Appellant

Versus

1. The State of Bihar.
2. Sri Sudhir Kumar Singh, Agriculture Production Commissioner, Bihar, Patna.
3. Sri Sudhir Kumar, Principal Secretary, Department of Agriculture, Bihar, Patna.
4. The Finance Commissioner, Bihar, Patna.
5. The Accountant General, Bihar, Patna.
6. The Joint Secretary, Department of Agriculture, Bihar, Patna.
7. The Deputy Secretary, Department of Agriculture, Bihar, Patna.
8. Shri G.P. Singh, Public Information Officer, Department of Agriculture, Bihar, Patna.

... .. Respondents

Appearance :

For the Appellant : Mrs. Shama Sinha, Advocate, Mr. Vijayansh Pratap Singh, Advocate and Mr. Surya Prakash, Advocate
For the State : Mr. Tej Pratap Singh, A.C. to A.A.G.-13.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

and

HONOURABLE MR. JUSTICE RANJAN KUMAR JHA

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE SUDHIR SINGH)

6 16-06-2026 Heard learned counsel for the appellant and learned counsel for the State.

2. The following reliefs have been sought by the appellant in the present Letters Patent Appeal.

“1. The instant Letters Patent Appeal is directed against the order dated 09.05.2024



passed in contempt petition being M.J.C. No. 2078/2018 in a very peculiar facts and circumstances of the case, whereby the opposite party no. 2 even though failed to pass the final order in compliance of the order under contempt, yet the Hon'ble Mr. Justice Rajiv Roy Single Judge disposed off the contempt on being satisfied that order of writ court stands complied and further observed that if petitioner still has grievance can move before any appropriate writ court for redressal of his grievances. As such, the impugned order is against the material available on record and the petitioner is rendered remediless in absence of any such order for challenge before writ court and in consequence thereto, the opposite parties/respondents may be called upon to notify the final decisions taken upon the recommendation of DPC to shift back the date of promotions on the post of Additional Director from 14.01.1997 to 31.12.1990 with all consequential benefits or in alternative, the contempt petition may be directed to be restored to its original file for ensuring its compliance."

3. A supplementary counter affidavit has been filed on behalf of respondent nos. 2, 3, 6, 7 and 8, wherein following statements have been made:



“9. That it is submitted that pursuant to the order dated 31.03.2026 passed by this Hon’ble Court, and in compliance of the expectation expressed therein, the matter was reconsidered at the highest level and the competent authority has now issued a notification bearing Memo No. 2558 dated 16.04.2026.

10. That by the aforesaid notification dated 16.04.2026, issued by the Agriculture Department, Government of Bihar, the claim of the petitioner has been duly considered and decided, whereby:

- a) The petitioner has been granted regular promotion on the post of Additional Agriculture Director and Equivalent post,*
- b) the said promotion has been granted with retrospective effect for the period from 31.12.1990 to 31.03.1997,*
- c) A supernumerary post has been created for the said purpose,*
- d) The petitioner has been extended all admissible consequential benefits, in accordance with rules.”*

4. Upon perusal of the aforesaid statement, it appears that the grievance raised by the appellant stands substantially addressed.

5. However, if the appellant is still aggrieved, he shall



be at liberty to file a representation before the competent authority in light of the aforesaid Notification bearing Memo No. 2558 dated 16.04.2026.

6. In the event of any such representation being filed, the concerned authority shall consider the same in accordance with law and extend the benefit of the aforesaid notification to the appellant, if found entitled, within a reasonable period from the date of receipt of the representation.

7. With the aforesaid liberty, the present Letters Patent Appeal stands disposed of.

8. Pending application(s), if any, shall also stand disposed of.

(Sudhir Singh, J)

(Ranjan Kumar Jha, J)

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