

Ram Vilash Ram and anr. Vs. State of Bihar and ors.

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Court : Patna

Decided On : Jan-29-2004

Judge : Narayan Roy, J.

Acts : Service Law

Appeal No. : CWJC No. 2947 of 1999

Appellant : Ram Vilash Ram and anr.

Respondent : State of Bihar and ors.

Advocate for Def. : Alamdar Hassan, GP-6

Advocate for Pet/Ap. : A.K. Tripathy, Adv.

Disposition : Appeal allowed

Judgement :

Narayan Roy, J.

1. Heard counsel for the parties.

2. By this application, the petitioners seek direction upon the respondents to consider their cases for promotion from the post of Havildar to Civil Jamadar, now known as Reserve Sub-Inspector (Training) with effect from due date and consequential benefit.

3. Precisely, it is submitted by learned counsel for the petitioner that the petitioners were outlisted in the year 1990 by the Central Selection Board and thereafter the Central Selection Board by a subsequent meeting considered the cases of others and the cases of the petitioners were bypassed, as their service books were not made available to the committee.

4. From the materials on record, it appears that the petitioners' cases were not considered on account of non-availability of the service books.

5. It appears to be a case of laches on the part of the respondent authorities and, in that view of the matter, the authorities concerned may be directed to fix a date of selection committee to consider the cases of the petitioners in accordance with law. 6. For the reasons aforementioned, therefore, this application is allowed and the respondent authorities are directed to fix a date of the selection committee for consideration of the cases of the petitioners for their promotion on the post of Reserve Sub-Inspector/Civil Jamadar with effect from the due dates and for all consequential benefits within a period of two months from the date of receipts/production of a copy of this order.

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