

---

**(2002) 08 JH CK 0111**  
**In the Jharkhand High Court**  
**Case No : C.W.J.C. No. 3881 of 1993 (R)**

Ganesh Prasad

APPELLANT

Vs

State of Bihar and Others

RESPONDENT

---

**Date of Decision :** 16-08-2002

**Acts Referred:**

**Citation :** (2002) 08 JH CK 0111

**Hon'ble Judges :** Tapen Sen, J

**Bench :** Single Bench

**Advocate :** Saurav Arun, for the Appellant; R.S. Majumdar, G.A. and V.N. Sahadeo, for the respondent Nos. 1 to 3, for the Respondent

---

## Judgement

Tapen Sen, J.—Heard Mr. Saurav Arun, learned counsel for the petitioner and Mr. R.S. .Majumdar, G.A. assisted by Shri Sahadeo for the respondent Nos. 1 to 3. No body appears on behalf of B.K. Sinha, who had filed an application for intervention. The intervention application is, therefore, rejected. So far as the respondent Nos, 4 to 11 are concerned, a Single Judge of this Court by an order dated 21.11.1994 ordered that the notice issued upon them will be deemed to have been validiy served, in view of the office note dated 18.11.1994.

2. In the instant case, petitioner has made a prayer for promotion on the post of Upper Division Clerk with effect from December, 1978; for the junior selection grade and the senior selection grade from a date prior to the dates on which his juniors have been given those promotions and also for quashing the gradation list dated 27.4.1993 by which the petitioner has been placed below his juniors.

3. Since no counter affidavit has been filed in the instant case and since service of notice was deemed to have been validiy effected upon the respondent Nos. 4 to 11, this Court feels that it would be expedient in the interest of justice if the concerned respondents are directed to look into the grievances of the petitioner immediately and without any delay.

4. In that view of the matter, liberty is given to the petitioner to file a

representation before the State Transport Commissioner, Jharkhand. The said authority will look into the grievances of the petitioner and pass a well reasoned order in accordance with law, after giving all reasonable and adequate opportunity of hearing to all the parties concerned including all those juniors to the petitioner who are said to have been given promotion superseding the petitioner.

5. The petitioner must serve a copy of this order along with the representation within a period of two weeks from the date he obtains the certified copy hereof and the State Transport Commissioner, Jharkhand is directed to dispose off the matter as ex-peditiously as possible but definitely not beyond a period of six months from the date of receipt of the representation indicated above. Let a copy of this Order be given to Mr. R.S. Majumdar, the learned Government Advocate.

6. With the aforementioned observation, this writ petition is disposed off. However, there shall be no order as to costs.