

ITEM NO.19  
N XVI

COURT NO.4

SECTION

S U P R E M E C O U R T O F  
RECORD OF PROCEEDINGS

I N D I A

Petition(s) for Special Leave to Appeal (C) No(s). 27973/2014

(Arising out of impugned final judgment and order dated 28/07/2014  
in LPA No. 1033/2013 passed by the High Court of Patna)BIRENDRA PRASAD  
Petitioner(s)

Petitioner

VERSUS

PRINCIPAL SECRETARY ENERGY DEPT AND ORS  
Respondent(s)

Respondent

(With appln. (s) for exemption from filing O.T. and interim relief)

Date : 31/10/2014 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE JAGDISH SINGH KHEHAR  
HON'BLE MR. JUSTICE ARUN MISHRA

For Petitioner(s)

Dr. Krishan Singh Chauhan, Adv.  
Mr. Ajit Kumar Ekka, Adv.  
Mr. Ravi Prakash, Adv.  
Mr. Chand Kiran, Adv.  
Mr. Murari Lal, Adv.

For Respondent(s)

Upon hearing the counsel the Court made the following  
O R D E RLearned counsel for the petitioner emphatically disputes  
the factual stance adopted by the State of Bihar to the effect,that the State Government never created the  
post ofEngineer-in-Chief. This position is sought to be disputed on the  
basis of material inter alia Annexure P-2 dated 31.12.1981.

Prima facie, it is not possible for us to rely on the

Signature Not Verified

Digitally signed by

Notification dated 31.12.1981 to overturn the finding recorded in

Satish Kumar Yadav

Date: 2014.11.01

13:21:13 IST

Reason:

the impugned order to the effect that there was  
no post ofEngineer-in-Chief in 2005. We accordingly permit  
the learned  
SLP(C)No.27973/14 2

counsel for the petitioner to place on the record of this case material depicting the availability of an existing post of Engineer-in-Chief in the cadre to which the petitioner belonged in 2005. Record, if any, of creation of such a post be placed for the consideration of this Court within eight weeks from today. No further adjournment shall be granted to the petitioner.

List again after eight weeks.

(SATISH KUMAR YADAV)  
COURT MASTER

(PHOOLAN WATI ARORA)  
ASSISTANT REGISTRAR