

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2787 of 2014

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Uma Shankar Ray, son of Mallu Ray, resident of Village - Sundarpur,
Police Station - Dariyapur, District - Chapra at Saran

.... Petitioner

Versus

1. The State of Bihar, through Principal Secretary, Human Resources
Department, Patna, Bihar
2. The Regional Deputy Director of Education, Saran at Chapra
3. The District Education Officer, Saran at Chapra
4. The Block Education Officer, Parsa, Saran at Chapra

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Pramod Ban Bihari Singh

For the Respondent/s : Mr. AC to AAG-5

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

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2 09-01-2015 Heard learned counsel for the petitioner and learned
AC to AAG-5.

The petitioner, who retired on 31-07-2011 as Assistant
Trained Teacher from Middle School, Baharmarar , Block- Parsa,
Saran at Chapra, has approached this Court with a prayer to direct
the Respondents to take final decision on his representation i.e.
Annexure-1 to the writ petition, wherein the petitioner had
claimed for 2nd Time Bond Promotion. However, learned counsel
for the petitioner submits that in changed circumstances, now the
petitioner is entitled to get 2nd A.C.P. It has been claimed that the
petitioner was appointed on 31.12.1973 and he has got 1st Time
Bond Promotion on 15.05.1987 and , thereafter, on completion of

certain period, the petitioner was entitled to be considered 2nd A.C.P., which has not been done till date.

The Court is of the opinion that instead of asking the State Counsel to get instruction and file counter affidavit, the writ petition can be disposed of granting liberty to the petitioner to file a detailed representation regarding claim of 2nd A.C.P. before Respondent no.2/ the Regional Deputy Director of Education, Saran at Chapra within a period of eight weeks from today. If such representation is filed, Respondent no.2/ Regional Deputy Director of Education is directed to examine the same and take final decision preferably within a period of two months thereafter. It is made clear that if Respondent no.2 considers the claim of the petitioner as genuine, he is required to pass order for all consequential benefits within the aforesaid time. Even in case of refusal to the prayer of the petitioner, Respondent no.2 is required to pass a speaking order within the aforesaid time and communicate the same to the petitioner.

With above observation and direction, the writ petition stands disposed of.

(Rakesh Kumar, J)

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