

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2789 of 2014

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Arjun Prasad Yadav, son of Late Baidhnath Prasad Yadav, resident of village - Idilpur, Police Station- Dariyapur, District Chapra At Saran, Bihar

.... Petitioner

Versus

1. The State of Bihar, through Principal Secretary, Human Resources Department, Patna, Bihar
2. The Regional Deputy Director, 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. Gp-31 Binita Singh

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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 Smt. Binita Singh, learned Govt. Pleader no.31.

The petitioner, who retired on 30.06.2009 as Assistant Trained Teacher from Prathmik Vidyalaya, Keshri Tola, Parsa , District- Saran at Chapra, has approached this Court with a prayer to direct the Respondents to grant him 2nd Time Bond Promotion. The petitioner was appointed on 30.08.1976 and he has got 1st Time Bound Promotion on 01.04.1987. Thereafter, he claimed for 2nd A.C.P., which has not been decided 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 one month from today. If such representation is filed, Respondent no.2/ Regional Deputy Director of Education is required to examine the same and pass final order 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 take final decision and 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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