

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9861 of 2016

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Renuka Kumari, Wife of Mani Kumar, Resident of Karyanandpur, Police Station-
Lakhisarai, District- Lakhisarai, at present Trained Graduate Teacher Utrakramic
Madhya Vidyalaya Makdumpur, Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar through Director, Primary Education Department, Bihar, Patna.
2. The District Education Officer, Lakhisarai, District- Lakhisarai.
3. The District Education Superintendent-cum- Sub Divisional Education Officer, Lakhisarai.
4. The District Programme Officer (Establishment), Education Department, Lakhisarai.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arbind Kumar

For the Respondent/s : Mr. SC6- MANINDRA KISHORE SINGH

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 23-08-2016

The claim of the petitioner for grant of promotion as a Middle School Teacher is regulated by a promotion rule of 2011, a copy of which is Annexure-A, to the counter affidavit filed on behalf of respondent State.

The relevant rule deals with not only the eligibility in terms of the educational qualification but also the time period within which the higher qualification etc is required to be acquired coupled with the period between the eligibility and the times spent on the post in question.

So far as the present petitioner is concerned since she has obtained the post graduate degree in the year 2015 which is beyond the cut off period of 31.12.2013 she cannot derive the benefit of promotion from an earlier date. She has to await her turn to complete the *Kalawadhi* as well before her case can be considered and a decision taken.

No order for consideration can be passed in the given facts at this juncture. However, petitioner is free to assert her right the moment she completes the eligibility in terms of Rule 9 and 10 by approaching the authorities in this regard.

Writ stands disposed of with the above observations.

(Ajay Kumar Tripathi, J)

B.Kr./-

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Transmission Date	