

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3424 of 2016

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1. Arvind Kumar Singh Son of Late Narsing Singh resident of village - Asha Bigha, P.S. Rafiganj, District - Aurangabad
 2. Ram Kumar Ram S/o Late Sukhdeo Ram Resident of village - Kaithi, P.S. Obra, District - Aurangabad
 3. Chandrakant Prasad S/o Late Suryadeo Yadav Resident of village - Tenkupi, P.S. Haspura, District - Aurangabad

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Education Department, Government of Bihar, New Secretariat, Patna
2. The Director, Primary Education, Education Department, Patna
3. The Regional Deputy Director of Education, Magadh Division, Gaya
4. The District Education officer, Aurangabad
5. The District Programme officer (Establishment), Aurangabad

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bindhyachal Singh

For the Respondent/s : Mrs. Neelam Prasad, AC to GP 25

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 26-04-2016

The writ application was moved by the petitioners for a mandamus upon the respondent authorities to consider and grant promotion on the post of Headmaster with effect from the date it is due and keeping in mind the Bihar State Elementary School Teachers Promotion Rules 2011.

From the counter affidavit filed on behalf of the State, there does not seem to be any quarrel with regard to right of consideration of the claim of the petitioners for such promotion. However, for certain reasons indicated in the counter affidavit, there

was an embargo placed upon consideration or promotion and the same has been withdrawn now by virtue of Annexure- B, dated 1.4.2016.

It is also evident from the assertion made in the counter affidavit that a provisional gradation- cum- seniority list has already been published and objections have been invited last of the date having fixed as 30.4.2016. It is evident that the process for consideration has already begun and publication of the provisional gradation list is one of the first steps in this direction.

It is hoped and expected that the final decision with regard to grant of such promotion to all such eligible candidates would be taken within a reasonable time frame, preferably within a period of five months from today.

Writ is disposed of in terms of the above direction.

(Ajay Kumar Tripathi, J)

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CAV DATE	
Uploading Date	27.4.2016
Transmission Date	