

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.549 of 2016

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1. Manikant Lal Dev, S/o Sri Rameshwar Lal Dev, Presently Posted as Assistant Teacher in Middle School, Baskatti, Block- Baheri, District- Darbhanga
 2. Ashutosh Ranjan, S/o Sri Devendra Prasad Singh, Presently Posted as Assistant Teacher in Upgraded Middle School, Auliabad, Hayaghat, District- Darbhanga
 3. Ramnaresh Jha, S.o Sri Ramgovind Jha, Presently Posted as Assistant Teacher in Upgraded Middle School Maanpur (Kharra Navin) Hayaghat, District- Darbhanga

.... Petitioner/s

Versus

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

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr Purushottam Kumar Jha
Mr. Avanindra Kumar Jha
For the Respondent/s : Mr. S.K.Mandal, SC 24

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 04-03-2016

The petitioners, three in number, have all approached the High Court together for a direction upon the respondent authorities, especially the District Promotion Committee to consider their claim for promotion on the post of Headmaster as they have the requisite qualification and training as well as the necessary eligibility and seniority in this regard. It is their case that due to the Circular issued by the General Administration Department, which was Circular

no.11218, dated 12.8.2014, a blanket ban on promotion or for consideration for promotion was imposed and that is the primary reason for non- consideration for their prayer for promotion.

Since the Circular dated 12.8.2014 of the General Administration Department has been quashed by this Court, the Court directs that the District Promotion Committee headed by the District Education Officer, Darbhanga will initiate the process for consideration and grant of promotion to all the eligible candidates, including the present petitioners, within a reasonable time frame.

Writ is disposed of in terms of the above direction.

(Ajay Kumar Tripathi, J)

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