

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.466 of 2014
Arising out of
Civil Writ Jurisdiction Case No. 18888 of 2012

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Anil Prasad Singh, Son of Late Prabhu Nath Prasad Singh, Resident of Village- Ghoghiyan, P.O. + P.S.- Mashrak, District- Saran (Chapra). At present posted as Assistant Teacher in Govt. Primary School Baguchhiya, Anchal- Lahladpur, District- Saran (Chapra)

.... Appellant/s

Versus

1. The State of Bihar
2. The Principal Secretary, Education Department Of Bihar
3. The Director, Primary Education, Bihar, Patna
4. The District Magistrate, Saran
5. The Deputy Development Commissioner Cum Chairman, District Education Establishment Committee, Saran
6. The District Education Officer, Saran
7. The District Programme Officer Establishment, Saran
8. The District Treasury Officer, Saran
9. The District Accounts Officer, Saran
10. The Block Education Officer, Lahladpur, District- Saran (Chapra)

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Siyaram Shahi
Mr. Raj Kishore Prasad
For the Respondent/s : Mr. Anil Kumar Upadhyay, SC 2

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA
and
HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)
Date: 04-08-2016

The present Letters Patent Appeal is directed against the order dated 17th June, 2013 passed by the learned Single Bench in CWJC No. 18888 of 2012. The appellant claims promotion in B.A. Trained pay scale on the basis of his qualification of *Sahitya Alankar* from Deoghar Vidyapeeth.

In CWJC No. 13836 of 2012 (Murlidhar Singh & Ors. v.

State of Bihar & Ors.) decided on 27th November, 2012, it has been held by a Division Bench of this Court that the qualification of *Sahitya Alankar* from Deoghar Vidyapeeth is not equivalent to Graduate and the writ petitioners are not eligible for promotion.

In view of the said Division Bench judgment, we find no merit in the present Letters Patent Appeal.

The appeal is accordingly dismissed.

(Hemant Gupta, J)

(Ahsanuddin Amanullah, J)

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