

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1921 of 2012

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Bhagwan Prasad Verma, S/O Shri Ram Subhag Lal, Resident of Village- Kelhua,
P.O- Shankarpur, P.S.- Singheshwar, District- Saharsa.

.... Appellant/s

Versus

1. The State of Bihar
2. The Director, Secondary Education, Budh Marg, Patna.
3. The Regional Deputy Director, Koshi Division, Saharsa, P.O+ P.S- District- Saharsa.
4. The D.O., P.O.+P.S.+ District- Saharsa.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Bipin Bihari Singh, Advocate
For the State : Mr. Y.P. Sinha, AAG-15
Mr. Shankar Kumar, AC to AAG-15

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH

And

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH)

Date: 14-03-2016

Heard learned counsel for the appellant and the
learned counsel for the State.

The dispute is with regard to grant of selection
grade to the appellant who was the writ petitioner. In our view, the
writ court has rightly rejected the claim. There is an essential
difference between the grant of selection grade and grant of
promotion. Selection grade is no promotion. It is a higher pay scale in
the same grade. In any cadre there are limited number of posts which
are designated for the post of selection grade. Notwithstanding the

length of service, notwithstanding the qualification, a person may not be granted selection grade of pay scale if the number of persons enjoying the same are already notified. Therefore, the plea of the writ petitioner-appellant that he had the requisite qualification and had served long enough, he should be granted selection grade pay scale, cannot be ground alone to be entertained and granted. The writ petition was, thus, rightly dismissed. We find no reason to interfere with the order passed by the learned Single Judge. The appeal is dismissed.

(Navaniti Prasad Singh, J.)

(Nilu Agrawal, J.)

Arjun/Rajesh

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