

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9782 of 2013

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Sahdeo Mahton Son Of Shiv Narayan Mahto Resident Of Village - Nanauri, P.O. -
Nanauri, P.S. - Dhanarua, District - Patna

.... Petitioner/s

Versus

1. The State Of Bihar Through Director, Primary Education New Secretariat, Patna
2. The District Education Officer, Patna
3. The Area Education Officer, Patna Sadar, Patna
4. The Block Education Officer, Fatuha, Patna
5. The School Inspector , Fatuha, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : None

For the Respondent/s : Mr. Rishiraj Sinha, GP-19

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 20-07-2016

No one appears for the petitioner. Learned counsel for the
State is present.

In this writ application, the petitioner is seeking relief of
promotion in terms of letter no. 4736 dated 28.5.2012. As he has
already retired on 31.3.2007, a claim has been made by the petitioner
that he has worked as an Assistant Teacher with effect from 26.4.1971
in the Primary School, Bhelura, Rampur in the district of Patna. He
has not been granted any promotion on account of pendency of L.P.A.
No. 1137, 1138 of 1996 which has been disposed of on 21.4.2009
wherein this Court had provided guideline in what manner the
promotion will be given to the teachers. The petitioner has not been

given promotion on the ground that he has retired from service but, Letter Patent Appeal altogether remained pending before this Court for more than ten years. By that time, the petitioner and other persons have superannuated.

Let the District Education Officer, Patna should consider the case of the petitioner. For convenience, the petitioner is directed to file a detailed representation along with a copy of this order before the District Education Officer, Patna who will consider the case of the petitioner and pass necessary order. While passing the order, the District Education Officer, Patna shall keep in mind that the case of promotion of the petitioner could not be taken up on account of pendency of L.P.A. No. 1137, 1138 of 1996.

With the aforementioned observation and direction, this application is disposed of.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
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