

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6881 of 2013

=====

1. Ramesh Prasad Kunwar S/O Late Jagdambi Kunwar R/O Village- Tulsipur, P.O.- Tulsipur, Via-Kharik, P.S.-Kharik, District- Bhagalpur

.... Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary Human Resources Development Department, Bihar, Patna
2. The Director, Secondary Education, Bihar, Patna
3. The Additional Secondary Education, Bihar, Patna
4. Regional Deputy Director Of Education Bhagalpur Commissionery, Bhagalpur
5. Regional Deputy Director of Education, Munger Commissionery, Munger.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mrs. Pravina Kumari, Advocate.

For the Respondent/s : Mr. M. Prasad, GP-12

=====

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 12-07-2016

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

In the present writ petition, petitioner is seeking relief to grant senior selection grade of Rs.7,500-12,000 of substituted scale of Rs.2200-4000/- and all consequential benefits.

Brief facts of the case is that petitioner was appointed on 1.12.1966 as Assistant Teacher in the State Aided High School Bardaha Purnea and he retired on 31.5.1998 from High School Katari, Sheikhpura. Petitioner was transferred on 30.4.1981 in the High School Tetri Pakra district Bhagalpur on 30.4.1981 worked in the said school till 11.11.1995, transferred on 18.11.1995 to

High School Katari, Sheikhpura and from there he has superannuated.

Learned counsel for the petitioner submits that petitioner is entitled to senior selection grade but has wrongly been deprived. From Annexure 1 which is the office order issued by the Regional Deputy Director, Bhagalpur, it appears that persons named in the list should be given promotion subject to the condition that if a person has superannuated from Munger then in that circumstances the benefit would be withdrawn. Admittedly petitioner has superannuated from District of Sheikhpura.

State has filed a counter affidavit from where it appears that a letter dated 20.4.2016 has been written by the District Education Officer, Sheikhpura to the present petitioner to file a necessary representation bringing all facts to his consideration, and proper decision will be taken accordingly.

In view of letter dated 20.4.2016 issued by the District Education Officer, Sheikhpura, petitioner is directed to file a detailed representation before the District Education Officer, Sheikhpura within a period of three weeks from today. If such a representation is filed the District Education Officer, Sheikhpura is obliged to process the representation and the same should be placed before the competent authority and decision should be

taken within a period of four weeks thereafter.

With the aforesaid observation this writ petition is disposed of.

(Shivaji Pandey, J)

Vinay/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	16.7.2016
Transmission Date	