

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.320 of 2013

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1. Arjun Prasad Sinha Son Of Late Santan Prasad Sinha Resident Of Village -
Pandpa, Post - Nardiganj, P.S. - Nardiganj, District - Nawada
2. Chandra Shekhar Singh Son Of Late Jalo Singh Resident Of Village - Pacheya,
Post - Nardiganj, P.S. - Nardiganj, District - Nawada
3. Dev Nandan Singh Son Of Late Ram Dhani Singh Resident Of Village - Raiyo,
Post - Bargaon, P.S. Sirdala, District - Nawada

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Human Resource Development Department, Govt. Of
Bihar, Patna
3. The Director, Primary Education, Human Resource Development Department,
Govt. Of Bihar, Patna
4. District Education Officer, Nawada
5. The Accountant General, Bihar, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Tej Bahadur Singh, Sr. Adv.
Mr. Brisketu Sharan Pandey, Adv.
For the Respondent/s : Mr. Lokesh Kumar Singh, A.C. to AAG-13
For the Accountant General : Dr. Anand Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 28-11-2016

The instant writ application has been filed by the
petitioners fore grant of time bound promotion with effect from the
date of their appointment as mentioned in the take over notification of
1989 and further for recalling the order contained in Memo No. 1394
dated 24.04.1997 issued by the District Superintendent of Education,
Nawada whereby time bound promotion granted to the petitioners
with effect from 01.04.1989 was withdrawn and the benefits arising
therefrom were recovered from the petitioners.

2. At the outset, learned counsel for the State has drawn my

attention towards the counter affidavit filed on behalf of the District Programme Officer (Establishment), Nawada wherein it has categorically been stated that an unanimous decision has been taken by the District Education Establishment (Promotion) Committee, Nawada to allow first time bound promotion to the petitioners with effect from 01.04.1981 and the earlier order, as contained in Memo No. 1394 dated 24.04.1997 of the District Superintendent of Education, Nawada, whereby the first time bound promotion granted to the petitioners with effect from 01.04.1981 was cancelled, has been recalled vide office order bearing Memo No. 302 dated 31.01.2014 issued under the signature of Respondent No.4.

3. In view of the submissions made in the counter affidavit and especially in view of the above office order bearing Memo No. 302 dated 31.01.2014, Mr. Tej Bahadur Singh, learned Senior Counsel for the petitioners submits that the grievance of the petitioners has been redressed.

4. In that view of the matter, the application is disposed of.

(Ashwani Kumar Singh, J)

Pradeep/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	
Transmission Date	