

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.759 of 2017

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Laxmi Sahu, Son of Late Dashrath Sahu, Resident of Village & Post Office-
Kothiya, Police Station- Bhairab Asthan, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Human Resources Department, Government of Bihar, Patna.
2. The District Magistrate, Madhubani.
3. The District Education Officer, Madhubani.
4. The District Programme Officer (Establishment), Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Prasad
For the Respondent/s : Mr. JITENDRA KUMAR ROY NO-1 SC13

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 01-12-2017 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The grievance of the petitioner is non-grant of 2nd time bound promotion. The petitioner claims that similarly circumstanced persons were granted such benefit vide Annexure-1 but in the case of the petitioner different yardstick has been adopted by the respondents.

The scheme of time bound promotion has come to an end with effect from 31st December, 1995, therefore, the writ court cannot issue any direction for grant of time bound promotion.

So far as the other claim of upgradation either under the Promotion Rules, 1993 or under the ACP Scheme is concerned, the petitioner is granted liberty to approach the respondent No.



4, the District Programme Officer (Establishment) Madhubani who shall look into the grievance of the petitioner and if it is found that the petitioner is entitled to any relief under the scheme of ACP or grant of promotion notionally under the 1993 Promotion Rules, he will place the case of the petitioner before the appropriate authority for final disposal.

The respondent authorities will take final decision and pass appropriate order in the matter of the petitioner at the earliest preferably within a period of sixty days from the date of filing of such representation.

With the aforesaid, the writ petition is disposed of.

It is made clear that this Court has not expressed any opinion on the claim of the petitioner with regard to grant of benefit of ACP scheme or under the 1993 Promotion Rules.

(Anil Kumar Upadhyay, J)

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