

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1279 of 2016

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The District Primary Teacher Union, through its Principal Secretary, Satyendra Kumar Suman, son of Late Baldeo Prasad Yadav, at present Residing at Shashtri Chowk, Sri Nagar Road, Purnea, P.S. + District- Purnea

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development Department, Govt. of Bihar, Patna
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna
3. The Director, Primary Education, Govt. of Bihar, Patna
4. The Regional Deputy Director, Purnea Division, Purnea
5. The District Education Officer, Purnea, District- Purnea
6. The District Programme Officer (Establishment), Purnea, District- Purnea

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Respondent/s : Mr. S. RAZA AHMAD- AAG5
Md. Anisul Haque, AC to AAG-5

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 07-02-2017

As prayed, the petitioner is permitted to correct the description of respondent no.2 in course of the day.

Heard parties.

The petitioner claims to be a registered Union of the District Primary Teachers.

This writ application has been filed for enforcement of the decision of the State Government notified vide Annexure-2 in terms of Rules 8, 9 and 10 of the Bihar Nationalized Elementary School Teachers Promotion Rules, 2011 by which the competent authority has been ordered vide Annexure 2 to fill up the vacancies of the Headmaster of all the Middle Schools of the State in terms thereof.

It is contended that the notification had come on



15.10.2012 itself but it has not been effectuated till date.

In paragraph 6 of the counter affidavit filed on behalf of the respondent no.6, it is stated that the same could not be done earlier on account of ban imposed on holding of D.P.C. in granting promotion by the General Administration Department vide Memo No.11218 dated 12.08.2014 due to the ensuring elections but that has now been relaxed and, hence, cases of all pending promotions have been taken and a final decision on the issue would be taken in the forthcoming meeting of the District Promotion Committee.

Accordingly, this writ application stands disposed of with a direction to the respondent no.2 to ensure that the District Promotion Committee of the various districts start taking action expeditiously in the matter as the petitioner claims that about 700 posts of the Headmaster in the various Middle Schools of the State are still lying vacant.

It is expected that the process should be completed within a period of six months from the date of receipt/production of a copy of this order.

(Dr. Ravi Ranjan, J)

V.K. Pandey/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	10.02.2017
Transmission Date	N.A.

