

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 17793 of 2016

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1. Uttam Kumar, Son of Late Sunil Kumar, Resident of Village + P.O.-Aiyara, P.S.-Karpi, District-Arwal, Presently Posted at Anant Sahu Uchh Vidyalaya, Pali Bazar, Jehanabad.
 2. Mritunjay Kumar Son of Late Ramdayal Sharma, Resident of Village- Senari, P.S.-Karpi, District-Arwal, Presently Posted at +2 Praveshika Vidyalaya, Shakurabad, Jehanabad.
 3. Rajendra Kumar, Son of Sri Baliram Sharma, Resident of Village-Senari, P.S.-Karpi, District-Arwal, Presently Posted ate Ramanujacharya 10 + 2 Vidyalaya, Noawan, Jehanabad.
 4. Kulshekhar Sharma, Son of Late Suryadeo Singh Resident of Village-Majidpur, P.S.-Kinjer, District-Arwal, Presently Posted at Gandhi Samarak Inter Vidyalaya, Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Secondary Education, Government of Bihar, Patna.
4. The Regional Deputy Director of Education, Magadh Division, Gaya.
5. The District Magistrate, Jehanabad.
6. The District Education Officer, Jehanabad.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Dinu Kumar, Mr. Arvind Kumar Sharma and Miss. Ritika Rani, Advocates
For the State	:	Mr. Madhaw Prasad Yadav, G.P. 23 Mr. Rajesh Kumar Sinha, A.C. to G.P. 23

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 05-12-2017

Heard learned counsel for the petitioners and the State.



2. The grievance of the petitioners is that despite there being provision of promotion from Class-IV to Class-III post for which 25% is reserved, they being otherwise entitled to such consideration, the authorities are sitting over the matter causing undue loss to the petitioners.

3. Learned counsel for the petitioners submitted that they have fulfilled the requisite criteria/qualification for their cases to be considered for promotion to Class-III from Class-IV on which they are presently working and the authorities have also done a preliminary screening and a list has been prepared which has also been submitted by the concerned District Education Officer to the Regional Deputy Director of Education, Magadh Division, Gaya. It was submitted that the matter is now before the authorities who have only to take a decision based on such recommendation, which they are not doing.

4. Learned counsel for the State submitted that such decision would be taken by the authorities concerned.

5. In view thereof, the writ petition stands disposed off with a direction to the respondents no. 3 and 4 to ensure that a decision is taken, in accordance with law, on the recommendation made by the respondent no. 6 relating to promotion of persons, including the petitioners, on Class-III post from Class-IV in which



they are presently working, expeditiously and latest within a period of two months from the date of production of a copy of this order before them.

(Ahsanuddin Amanullah, J.)

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