

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1404 of 2014

IN

Civil Writ Jurisdiction Case No. 11410 of 2010

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Kamala Kumar Son of Late Ram Naresh Kumar Resident of Village - Rajapur
Naurang Rai kaera, P.S.- Simri, District - Buxar

.... Appellant/s

Versus

1. The State of Bihar through its Secretary
2. The Chief Secretary-cum- Education Commissioner, Ministry of Human Resources Development Department, Govt. of Bihar, Patna
3. The Regional Deputy Director of Education, Patna Division, Patna
4. The Chairman, Bihar Public Service Commission, Patna Jawaharlal Nehru Marg (Bailey Road, Patna), 800001

.... Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Amaresh Kumar Singh Advocate Mr. Sushil Kumar Roy Advocate
For the Respondent/s	:	Mr. Siddharth Shankar Pandey AC to SC-28
For the B.P.S.C.	:	Mr. Sanjay Pandey Advocate

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 28-04-2017

Heard learned counsels for the parties.

The writ application, filed by the petitioner, was dismissed by the Learned Single Judge on 26.08.2014. The reason for dismissal of the writ application was primarily two. Number 1, that there was no evidence or pleadings to show that any person junior to the petitioner had been promoted on the post of Headmaster prior



to the date of superannuation of the appellant and number 2 that the appellant had already retired from service.

Both the grounds are valid grounds, refusing to grant any benefit, which the petitioner was looking for by way of promotion.

Failure on the part of the appellant to bring necessary materials in the pleadings with relevant annexure was the primary reason for the Learned Single Judge to dismiss the writ application.

Appeal has no merit, it is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

SKM/-

AFR/NAFR	N.A.F.R.
CAV DATE	
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