

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10109 of 2016

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Kamleshwari Mistri, Son of Late Santu Mistri, Resident of Village- Tetari (Donia Tola), P.S.- Naugachia, District - Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Education Department Government of Bihar, Patna.
2. The Director, Primary Education, Government of Bihar, Patna
3. The District Education Officer, Bhagalpur.
4. The District Programme Officer, Establishment, Bhagalpur.
5. The Treasury Officer, Naugachia, District Bhagalpur.
6. The Accountant General, Bihar, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Respondent/s : Mr. M. P. Yadav, SC23

For Accountant General : Mrs. Namrata Mishra, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date: 28-02-2018

Heard learned counsel for the petitioner and State.

The grievance of the petitioner in the present application is for grant of 2nd Time Bound Promotion.

The petitioner has superannuated on 31.01.1999.

In para 11 and 12 of the counter affidavit, the respondents have indicted that they are considering the case of the petitioner and others and will take final decision without any delay. For ready reference para 11 and 12 of the counter affidavit is quoted herein below:

“11. That in view of the order of this Hon’ble Court as well as letter dated 01.04.2016, the process for consideration of claim of the petitioner as well as



other similarly situated persons was initiated and after completion of entire formalities, amended gradation list of teachers has been published on 25.06.2016 wherein the name of the petitioner appears at Serial No.656 at page no.36 of the said gradation list.

12. That as stated, claim of the petitioner raised in this case is under process and the same is to be placed in the meeting of the District Primary Promotion Committee for its consideration wherein claim of the petitioner shall be considered in accordance with law and if the petitioner is found entitled by the Committee, the benefits of Selection Scale/Grade-III shall be granted to him without any delay.”

In view of the above, the writ application is disposed of with a direction to the respondents to take final decision, as per undertaking made in para 11 and 12 of the counter. Final decision in this regard must be taken by the respondents at the earliest preferably within a maximum period of three months from the date of receipt/production of a copy of this order.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	01.03.2018
Transmission Date	

