

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16545 of 2016

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Sushil Kumar Singh S/o Thakur Prasad Singh, Resident of Village+ P.O.-
Dayarpar, P.S.- Madhepur, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development Department, Govt. of Bihar, Patna.
2. The Joint Secretary, Education Department, Bihar, Patna.
3. The Joint Secretary, Finance Department, Bihar, Patna.
4. The Regional Deputy Director of Education, Darbhanga Division, Darbhanga.
5. The District Magistrate, Darbhanga.
6. The District Education Officer, Madhubani.
7. The District Programme Officer, (Establishment), Madhubani.
8. Akhilesh Mishra, Uchcha Vidyalaya, Basopatti, Madhubani.
9. Ajay Kumar, Uchcha Vidyalaya, Bharam, Madhubani.
10. Sri Shashi Shekhar Kumar, Uchcha Vidyalaya, Maraia Balua, Madhubani.
11. Mukesh Kumar Jha, Uchcha Vidyalaya, Rampatti, Madhubani.
12. Sri Rakesh Raushan, Uchcha Vidyalaya, Lauthwa, Madhubani.
13. Sri Sushil Kumar Singh, Uchcha Vidyalaya, Jhanjharpur, Madhubani.
14. Sri Rajnish Ranjan, V.S.M., Uchcha Vidyalaya, Narar, Madhubani.
15. Md. Izhairul Haque Ansari, Uchcha Vidyalaya, Gaurgama, Madhubani.
16. Sri Krishnadeo Sah, Uchcha Vidyalaya, Bathnaha, Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ratanakar Jha
For the Respondent/s : Mr. Arvind Kumar, AC to Gp23

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 30-11-2018 Heard learned Counsel for the petitioner and the

learned Counsel for the respondent State.

It is submitted by the learned Counsel for the petitioner that from Annexure 5 it is apparent that one Shashi Shekhar Kumar, who is junior to the petitioner at serial No. 20, has been promoted to Class III post ignoring the petitioner's case, whose name figures at serial No. 8 in the said letter.



Prima facie the submission made by the Counsel for the petitioner is not substantiated by Annexure 5, which is just a letter dated 26.8.2016 bearing Memo No. 2676 issued by the District Programme Officer (Establishment) Madhubani to 34 persons including the petitioner and the said Shashi Shekhar Kumar. The same is a letter calling the 34 persons for appearing at the examination/selection for promotion to Class III. The list of 34 persons whose name appear in Annexure 5 does not appear to be as per seniority. The name of 34 persons has been mentioned only because the letter has been addressed to 34 persons. It is not possible to conclude that the same is as per the gradation list or a merit list. Prima facie the submission made by the petitioner that Shashi Shekhar Kumar being his junior is not borne from the records.

In view of this observation there is no occasion for this Court to interfere with or pass any order in favour of the petitioner as no case is made out regarding his seniority Against the private respondent on the basis of Annexure 5.

Counsel for the petitioner submits that he will verify the issue and if any document is available to show that the petitioner's claim has been ignored And his juniors have actually been granted benefit of promotion, he will move the



authority concerned.

In view of the aforesaid submission the writ petition is
disposed of.

(Madhuresh Prasad, J)

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