

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13313 of 2014

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Jamadar Sah, son of late Bhola Sah, resident of village-Parariya, Malikan,
P.S.-Mahmadpur, District-Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Secretary, Department of Education,
Bihar , Patna
2. The Director Primary Education Department, Bihar, Patna
3. The Deputy Director Education, Saran Chapra
4. The District Education Officer (D.E.O.), Siwan, District-Siwan.
5. The District Programme Officer (D.P.O.), Siwan, District-Siwan.
6. The Accountant General, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arbind Kumar
For the Respondent/s : Mr. Sc19-Ajay Bihari Sinha

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 06-09-2018 The grievance of the petitioner in the present writ
application is non-grant of second time bound promotion.

The petitioner was appointed in the year 1970 and in
terms of time bound promotion scheme petitioner was granted
first time bound promotion with effect from 01.04.1981.

Learned counsel for the petitioner submits that
petitioner is entitled to grant of second time bound promotion
with effect from 1994.

Learned counsel appearing on behalf of the petitioner
further submitted that respondents have granted the benefit of



second time bound promotion to several similarly circumstanced teachers.

Referring to Annexure-1 series he submits that respondents have adopted pick and choose in the matter of grant of second time bound promotion.

Considering the fact that petitioner has superannuated on 31.01.2005, the respondents have to consider the claim of the petitioner for grant of benefit of second time bound promotion in accordance with prevailing rule of time bound promotion and grant the benefit of such time bound promotion, if the benefit of such time bound promotion was extended to the similarly circumstanced other teachers.

Final decision on the claim of the petitioner for grant of second time bound promotion shall be taken by the respondent District Programme Officer, Siwan within a maximum period of four months from the date of receipt/production of a copy of this order.

The respondent District Programme Officer, Siwan is required to ensure payment of monetary benefit as well as to determine fresh entitlement of the post-retiral dues of the petitioner on the basis of grant of time bound promotion to the petitioner.



Entire exercise must be completed within the time
frame indicated hereinabove.

With the aforesaid, the writ petition stands disposed
of.

(Anil Kumar Upadhyay, J)

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