

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16594 of 2016

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Rampravesh Thakur son of Sri Binda Prasad Thakur Resident of Village-
Nandani, Post- Sibaisingpur, P.S.-Mohiuddin Nagar, District-Samastipur,
Presently Posted as Assistant Teacher, Mibble School, Nandani, Block-
Mohiuddin Nagar, District-Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Director, Primary Education, Government of Bihar, Patna.
3. The District Elementary Teacher Promotion Committee through District
Programme Officer (Establishment), Samastipur
4. The District Education Officer, Samastipur
5. Madhukar Kumar son of not Known to the Petitioner, Headmaster of Mibble
School Mohiuddin Nagar, P.O. + P.S.- Mohiuddin Nagar District-Samastipur

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajendra Pd. Singh, Sr. Advocate Mr. Rajeev Kumar Singh, Advocate Mr. N.K.Singh, Advocate
For the Respondent/s	:	Mr. Arvind Kumar, AC to GP-23

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

6 16-04-2018 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Learned senior counsel appearing on behalf of the
petitioner submits that the State-authorities have enquired from
the University and after enquiry, a report was submitted vide
Annexure-7 admitting the validity of the degree obtained by the
petitioner on 11.4.2016 and as such he submits that the



respondents have to proceed on the basis of the verification done from the University as is evident from Annexure-7 and they cannot be allowed to keep on making enquiry and denying the benefit of promotion to the petitioner. He further submits that the respondents have considered and granted promotion to the juniors but on one or the other pretext they have kept the matter of promotion of the petitioner pending. He submits that juniors to the petitioner have been granted promotion with effect from 12.3.2016 and as such the petitioner's case is required to be considered from the date juniors to the petitioner have been granted such promotion.

In the counter affidavit stand has been taken that the enquiry is still going on.

Such stand cannot sustain in view of the fact that Annexure-7 was issued after verification from the University.

In view of the above, the respondent-authorities are required to take final decision with regard to the claim of the petitioner for grant of promotion in the light of Annexure-7 within a maximum period of 60 days from the date of receipt/production of a copy of this order and if it is found that the juniors have been granted such promotion with effect from 12.3.2016, similar benefit may be extended to this petitioner



granting promotion and consequential relief from the date juniors have been granted such promotion.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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