

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11661 of 2016

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Surendra Kumar son of Shri Ganauri Mehta resident of Mohalla- Prasad Bigha, P.O.+Police Station+Town & District- Nawada. at present assistant teacher, Primary School Fakira Beldariya, Police Station- Nawada Muffasil, Block- Nawada, District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Dierector, Primary Education, Education Department, Govt. of Bihar, Patna.
3. The District Magistrate, Nawada
4. The District Education Officer, Nawada
5. The District Programme Officer (Establishment), Nawada

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ram Sagar Singh
For the Respondent/s : Mr. Ritesh Kumar- Sc33

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 25-04-2018 Heard the learned counsel for the petitioner and the learned counsel appearing on behalf of the State.

The learned counsel for the petitioner submits that the petitioner is entitled to the benefit of promotion in graduate trained pay scale. He submits that the petitioner has obtained the degree in the year 1999. The said degree was held to be valid vide Annexure-5 but, subsequently, the said degree was found invalid for appointment or promotion by the Human Resource Development Department on 27.08.2008 and as such, the petitioner's degree cannot be questioned, learned counsel also relied upon the judgment of the Division Bench contained in



Annexure-11 wherein the Division Bench has considered the effect of such degree on obtaining the higher qualification based on such degree.

In such view of the matter, the Respondents are directed to consider the degree of the petitioner in light of the judgment of the Division Bench dated 27.01.2016 passed in L.P.A. No. 11 of 2014 and consider the case of the petitioner for grant of promotion in accordance with law. The entire exercise in this regard may be completed by the Respondents within a maximum period of three months from the date of receipt / production a copy of this order.

With the aforesaid, the writ application is disposed of.

(Anil Kumar Upadhyay, J)

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