

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19006 of 2014

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1. Siya Ram Singh S/o Late Bhola Singh Resident of Village Khatma
Khaur, P.O. Harbhanga, P.S. Madhepur, District Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar through the Director, Primary Education, Patna.
2. The Regional Deputy Director of Education, Darbhanga.
3. The District Education Officer, Madhubani.
4. The District Programme Officer (Establishment), Madhubani.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Suraj Narain Yadav

For the Respondent/s : Mr. Sc23- Kumar Priyaranjan

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

- 2 12-09-2018 1. Heard learned counsel for the petitioner and counsel
appearing on behalf of the State.
2. The grievance of the petitioner in the present application is
non-consideration of the case of petitioner for grant of graduate
trained scale.
3. The issue of grant of graduate trained scale to teachers was
referred to the Full Bench in the case of Ram Nath Prasad Singh case
and the Full Bench adjudicated that there should be separate gradation
list of Arts and science teacher for promotion to the graduate trained
scale and thereafter there should be combined gradation list for grant
of further promotion.
4. The Full Bench judgment is reported in **2009 (3) P.L.J.R.**



384. The Full Bench while deciding the aforesaid issue directed the respondent to prepare gradation list and grant promotion following 1993 Promotion Rule.

5. In view of the above, it is the obligation of the respondent authorities to examine the claim of the petitioner strictly in accordance with Full Bench Judgment in Ram Prasad case (Supra) and in terms of 1993 Rules. The respondent have to examine the claim of the petitioner for grant of promotion in terms of the 1993 Rules and if any person junior to the petitioner have been granted such promotion, the respondent are under obligation to adopt corrective measure and grant promotion to the petitioner from the date of junior have been granted such promotion in graduate trained scale.

6. Necessary decision in this regard must be taken by the respondent authorities within a maximum period of four months from the date of receipt / production of a copy of this order including all consequential benefits.

7. With the aforesaid observation and direction, this writ petition is disposed of.

(Anil Kumar Upadhyay, J)

Sanjeev/-

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