

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14701 of 2014

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Praveen Kumar Singh, son of Late Kamal Kishore Singh resident of village/Mohalla - Kamal Niwas, Raza Bazar, P.O. and P.S. Jehanabad, District - Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Bihar, Patna.
2. The Director, Education Department, Bihar, Patna.
3. The Regional Deputy Director of Education, Magadh Division, Gaya.
4. The District Magistrate, Jehanabad.
5. The District Education Officer cum Chairman, District Elementary Teacher, Promotion Committee, Jehanabad.
6. The District Programme Officer (Establishment), Jehanabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate
For the Respondent/s : Mr. P.K. Verma, AAG 5

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 10-09-2018

Heard learned counsel for the petitioner and learned counsel appearing for the State.

The grievance of the petitioner is now confined to grant of seniority in accordance with the guidelines contained in Annexure-5 vide letter no. 592 dated 10.05.2013. The Director, Primary Education, Govt. of Bihar has issued guidelines to all the Regional Deputy Director, Education, District Education Officer and District Programme Officer to rectify the mistake in case while granting promotion to the juniors seniority was ignored and



juniors have been promoted as a result thereof if the seniors have been rendered juniors.

Learned counsel for the petitioners submits that due to the mistake of the respondents promotion was granted belatedly as a result of which the petitioner has been made junior to the admitted juniors to the petitioner. Referring to Annexure-5 learned counsel submits that the respondents should have adopted corrective measure and restored seniority to the petitioner. Considering the fact that the writ petition was filed on 12.08.2014 with two advance copies served to the office of the learned Advocate General but even after expiry of four years no counter affidavit has been filed.

The Court is constrained to dispose of the present writ petition with a direction to the District Programme Officer (Establishment), Jehanabad to take appropriate decision in terms of the guidelines contained in Annexure-5 and restore seniority of the petitioner above the teachers who were junior to the petitioner and granted promotion earlier. Necessary correction may be made by the respondents in terms of Annexure-5 by granting appropriate seniority to the petitioner within a maximum period of four months from the date of receipt/production of a copy of this order.



With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

mrl./-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	11/09/2018
Transmission Date	N.A.

