

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7116 of 2017

-
-
1. Jainath Kumar son of Late Ramnandan Ray Resident of village - Nainha, P.O. Nainha, District - Vaishali.
 2. Jai Prakash Narayan Chaudhary son of Late Shiv Prasad Chaudhary resident of village - Bari Yusufpur, P.O. Hajipur, District - Vaishali.
 3. Arun Kumar Sharma son of Late Yugal Kishore Sharma Resident of Mohalla - Rajput Nagar, P.O. Hajipur, District - Vaishali.
 4. Baidnath Rakesh son of Late Krishna Roy Resident of Village - Khana Barkhurdar (Hathsarganj), P.O.- Hajipur, District - Vaishali.
 5. Prabhu Narayan Singh son of Late Chhathhu Singh Resident of Mohalla - Chakvara, P.O. Hajipur, District - Vaishali.
 6. Anil Kumar son of Late Vishwanath Prasad Singh Resident of village - Jaitipur, P.O. - Lalganj, District - Vaishali. ... Petitioner/s
- Versus
1. The State of Bihar through the Principal Secretary, Education Department, Govt. of Bihar, Patna.
 2. The Principal Secretary, Education Department, Bihar, Patna.
 3. The Director, Primary Education, Bihar, Patna.
 4. The Regional Deputy Director of Education, Tirhut Division, Muzaffarpur.
 5. The District Magistrate, Vaishali.
 6. The District Education Officer, Vaishali at Hajipur, District - Vaishali.
 7. The District Programme Officer (Establishment), District - Vaishali at Hajipur. Respondent/s
-
-

Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate
For the Respondent/s : Mr. Kameshwar Kumar- Gp17

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 02-05-2018 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

The present writ application has been filed for a direction to the respondents to consider the case of the petitioners for financial upgradation on completion of 24 years of service.

From the averments made in the writ petition, it appears that the petitioner has completed 24 years of service and



as such he is entitled to grant of financial upgradation in terms of ACP. The issue requires consideration by the competent authority and in the instant case there is no final decision on the claim of the petitioners by the competent authority.

In the aforesaid circumstances, the writ petition is disposed of with a direction to the District Programme Officer to take final decision with regard to claim of financial upgradation of the petitioners under the ACP/MACP Scheme within a maximum period of 60 days from the date of receipt/production of a copy of this order.

It goes without saying that on determination of the entitlement of the petitioners, the respondents have to work out payment of consequential benefits within a further period of 30 days.

While taking decision the respondents may taken into account relevant rules including 2011 promotion rules.

(Anil Kumar Upadhyay, J)

spandey/-

U			
---	--	--	--

