

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15000 of 2016

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Suresh Ram Son of late Gulli Ram Resident of Village- Purandarpur P.S.
Nautan District West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Human Resources Development Department,
Government of Bihar, Patna.
3. The Director, Primary Education Government of Bihar, Patna.
4. The District Magistrate West Champaran.
5. The District Superintendent of Education, West Champaran.
6. The District Programme Officer, West Champaran.
7. The Block Education Extension Officer, West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13
For the Respondent/s : Mr. Subhash Chandra Mishra- Sc16

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 01-05-2018

Heard learned counsel for the petitioner and the State.

The only issue requires consideration in the present writ
petition is whether the degree of Sahitya Alankar can be treated as
valid for the purpose of promotion or not.

Learned counsel for the petitioner has submitted that the
petitioner has acquired the degree of Sahitya Alankar in the year
1995, by that point of time the degree was valid. Later on in the
year 2008 the respondent-State came out with a notification
holding that the degree of Sahitya Alankar from Hindi Vidyapith,
Deoghar is not valid degree. He submits that during the
interregnum period the degree was valid and as such the
respondents cannot deny the benefit of Sahitya Alankar for grant



of promotion. He further submitted that the petitioner after obtaining degree of Sahitya Alankar has also obtained degree of post graduate from Nalanda Open University. He submits that the issue as to the validity of degree of Sahitya Alankar on obtaining higher degree was considered by the Division Bench of this Court in LPA No. 11 of 2014.

In view of the decision of the LPA Court, the writ petition is disposed of with a direction to the respondents to consider the case of the petitioner for grant of promotion in the light of the decision of the LPA Court in LPA No. 11 of 2014. The entire exercise in this regard must be completed by the respondents within a period of three months from the date of receipt/production of a copy of this order.

It goes without saying that the respondents will consider the case of the petitioner from the date juniors have been granted the benefit of promotion, i.e. 31.12.2010.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

Ravi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30.05.2018
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