

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14673 of 2014

=====

Bipin Kumar son of Sri Jagdish Pandit Residence of village - Simari Bakhtiyarpur , Dist - Sahara, at present posted as Incharge Headmaster, Middle School, Jagir, Arajai Banailipatti, Anchal Basantpur, District Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Human Resources Development Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Human Resources Development Department, Govt. of Bihar, Patna.
3. The Director Primary Education Government of Bihar, Patna.
4. The Regional Deputy Director of Education, Koshi Division, Saharsa.
5. The District Education Officer, Supaul, District - Supaul.
6. The District Programme Officer (Establishment), Supaul, District - Supaul.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Sharda Nand Mishra, Advocate Mr. Dhananjay Kumar Gupta, Advocate Mr. Harish Chandra Patel, Advocate
For the Respondent/s	:	Mr. Sanjay Prasad, AC to AAG-4

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 03-08-2018 Heard learned counsel for the petitioner and the

counsel appearing on behalf of the State.

The grievance of the petitioner in the present writ application is denial of salary despite revision of notification granting promotion from the date anterior to the date granting promotion.

Earlier the petitioner was granted promotion vide order dated 27.8.2013 which was subsequently modified and the promotion was made effective from December, 2012. However, while revising the date of promotion from the date anterior to the earlier granting promotion, the respondents have not granted the benefit of revision in the date of promotion.

Learned counsel for the petitioner submits that juniors



to the petitioner have been granted promotion with effect from 13.12.2010 with all consequential benefits.

Learned counsel appearing on behalf of the State submits that due to pendency of the proceeding the petitioner was not earlier granted promotion.

Since respondents have granted promotion from the date juniors to the petitioner have been granted benefit of promotion from December, 2012, the Court does not appreciate the reason for denying the benefit of revision to the petitioner from the date of promotion of the petitioner was revised. Accordingly, the writ petition is allowed. The order contained in Annexure-4 dated 27.8.2013 is quashed.

The respondents are hereby directed to pass fresh order granting benefit of revision of promotion i.e. from December 2012 the date on which the respondents have granted the benefit of promotion to the juniors of the petitioner with all consequential benefit within a 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)

Ravi/-

U			
---	--	--	--

