

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14644 of 2014

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Ramakant Jha S/o Late Bhubneshwar Jha Resident of village - Chainpur Baghel, P.O. - Sarai Dhanesh, Via - Sahdei Buzurg, P.S. - Deshri, District - Vaishali at Hazipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Commissioner-cum-Secretary, Department of Human Resources, Bihar, Patna.
2. Director, Primary Education, Bihar, Patna.
3. District Magistrate-cum-Chairman, District Education Establishment Committee, Vaishali, Hajipur.
4. District Superintendent of Education, Vaishali, Hazipur.
5. District Programme Officer (Establishment), Vaishali at Hazipur.
6. Treasury Officer, Vaishali, Hazipur.
7. Accountant General, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Mr. A K Roy
For the Respondent/s : Dr. Shobha Choubey, AC to GP 19

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 26-10-2018 Learned counsel appearing for the petitioner submits that in view of the order dated 02.04.2012 passed by this Court in CWJC No.18327 of 2008, the District Education Officer, Vaishali, vide order dated 15.07.2013 has cancelled the promotion granted to the juniors to the petitioner but the District Education Officer has not considered the claim of the petitioner for grant of promotion independently. He submits that it is true that juniors' promotion has been cancelled but only cancellation of promotion to the juniors will not serve the purpose. The respondents are required to consider objectively the case of the petitioner for grant of promotion. In terms of Annexure-3, the



respondents were required to decide the claim of the petitioner while cancelling the promotion of the juniors.

The respondents rectified the mistake and as such the Court does not find any infirmity in the order. However, liberty is granted to the respondent authorities for considering the case of the petitioner independently in terms of Annexure-3. If the petitioner is able to establish his claim for grant of promotion in accordance with law by filing an exhaustive representation along with a copy of this order, the respondent authorities will decide the representation by a reasoned order within a period of four months from the date of receipt of such representation.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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