

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 13528 of 2016

=====

Shivendra Narayan Singh Son of Sri Tapeshwar Prasad Singh Resident of village & Post Barwari Police Station Supaul, District - Supaul At Present Assistant Teacher, Middle School, Sattar Kataiya, Police Station Bihra, District - Saharsa

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resource Department, Government of Bihar, Patna
2. The Director, Primary Education, Government of Bihar, Patna
3. The District Magistrate, Saharsa
4. The Deputy Development Commissioner, Saharsa
5. Regional Deputy Director, Education, Koshi Division, Saharsa
6. The District Education officer, Saharsa
7. The District Programme Officer (Establishment), Saharsa

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : M/s Satish Kr Singh, Dinesh Maharaj, Advocates
For the Respondent/s : Mr Amit Bhushan, AC to GP XVII

=====

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date : 26-11-2018

Heard learned counsel for the petitioner and the respondent-State.

2 Writ petition has been filed praying for grant of promotion to the petitioner as BA Trained Scale with effect from 25.05.1996 and scale of Headmaster with effect from 25.05.2000. He has also claimed for Headmaster's senior scale with effect from 25.05.2013 along with all consequential benefits. The petitioner has filed the writ petition claiming that others, who were junior to him, have been granted the same benefit.



3 Counter affidavit has been filed. It has been stated that the Primary Teachers' Promotion Committee, Saharsa, in its meeting dated 27.05.2017, decided to grant promotion to the petitioner as per his entitlement at par with his alleged juniors. The petitioner has, therefore, been granted Graduate Trained Scale with effect from 25.05.1996 and Headmaster's scale with effect from 25.05.2012 respectively. From the office order dated 29.06.2017 whereby the said promotions have been granted to the petitioner, it appears that the same has been granted during pendency of certain proceedings before the Apex Court.

4 Though no rejoinder to this counter affidavit has been filed, it is submitted by the learned counsel for the petitioner that the petitioner is entitled to the scale of Headmaster with effect from 25.05.2000 and that of Headmaster's senior scale with effect from 25.05.2013. He submits that for shifting back of his date of promotion to 25.05.2012 and for the further benefits of Headmaster with reference to the other juniors, which he alleged, have been granted the promotion, he will be approaching District Education Officer, Saharsa (respondent No 6) by making out his detailed claim within a period of four weeks from today.



5 In the event, such application is filed, petitioner’s claim should be decided expeditiously and preferably within a period of eight weeks thereafter by a reasoned and speaking order.

6 Writ petition is disposed of.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27.11.2018
Transmission Date	NA

