

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6663 of 2015

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Ranjana Jha Wife of Sri Binay Kumar Jha Resident of Mohalla-Officer's Colony, In front of P.W.D. Inspection Banglow Mirchai Bari, P.S.- Katihar, District- Katihar. Petitioner/s

Versus

1. The State of Bihar.
 2. The Director, Primary Education, Govt. of Bihar, Patna.
 3. The Regional Deputy Director of Education, Government of Bihar, Patna.
 4. The District Education Officer, Katihar.
 5. The District Programme Officer (Establishment) Katihar. Respondent/s
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Appearance :

For the Petitioner/s : Mr. Bhanu Pratap Singh, Advocate
For the Respondent/s : Mr. Prabhat Ranjan, AC to GP 6

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 27-11-2018

The grievance of the petitioner in the instant writ petition is discrimination in the matter of grant of promotion.

Learned counsel for the petitioner would submit that the petitioner was granted promotion belatedly whereas the persons junior to him have been granted promotion earlier to him and on account of earlier grant of promotion, the cases of juniors have been considered for further promotion.

In the counter affidavit stand has been taken that after following the procedure, the case of the petitioner was placed before the District Promotion Committee and considering his seniority, promotion was granted to the petitioner.

There is no whisper in the counter affidavit that persons junior to the petitioner in the previous 2012 gradation list have been granted promotion but the case of the petitioner was ignored.



If it is fact that persons junior to the petitioner in the gradation list of 2012 have been granted promotion, then it is obligation of the respondents to rectify their mistake and grant promotion to the petitioner from the date similarly circumstanced others/ juniors in the gradation list of 2012 have been granted promotion. Necessary decision with regard to shifting the date of promotion, considering his seniority in 2012 gradation list must be taken by the respondents at the earliest preferably within a maximum period of four months from the date of receipt/production of a copy of this order.

Once the respondents rectify their mistake and revise the date of promotion of the petitioner considering his position in 2012 gradation list, consequential relief arising out of revised date of promotion shall be extended to the petitioner within a further period of two months.

With the aforesaid, the writ petition sands disposed of.

(Anil Kumar Upadhyay, J)

spandey/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30.11.2018
Transmission Date	NA

