

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9222 of 2015

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Binod Kumar Verma son of Late Dhirendra Narayan Verma, resident of village- Bangaon, P.S. Bangaon, District- Saharsa, at present Assistant Teacher and Incharge Maheshwar Anant Middle School, Bangaon.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Human Resource Department, Govt. of Bihar, Patna.
2. The Director, Primary Education, Department of Education, Government of Bihar, Patna.
3. The District Education, Establishment Committee, Saharsa through its Chairman.
4. The District Magistrate-cum-Chairman, District Education, Establishment Committee, Saharsa.
5. The District Programme Officer, Saharsa.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Tara Nath Jha, Advocate
For the Respondent/s	:	Mr. Manoj Kr. Ambastha, SC 26
		Mr Subodh Kumar, AC to SC 26

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 20-12-2018 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The issue raised in the present writ petition is no more res integra. The judgment of the Full Bench of this Court in the case of Ram Nath Prasad Singh vs State Of Bihar & Ors. : 2009 (2) PLJR 384 is settled on the point. The Full Bench after deciding the issue as to preparation of separate gradation list of Arts and Science, directed the respondents to adhere to 1993 Rules and grant promotion accordingly.

In terms of the judgment of the Full Bench, the



respondents are obliged to take decision and if the petitioner was graduate he is entitled to graduate trained scale in terms of the Full Bench judgment on the basis of his seniority. The respondents have to work out the entitlement of the petitioner strictly in accordance with the judgment of the Full Bench and take appropriate decision including grant of consequential benefits within a maximum period of four months from the date of receipt/production of a copy of this order.

This Court has adopted this course on account of the fact that despite service of two advance copy of the petition to the office of the Advocate General but no counter affidavit has been filed even after expiry of three years.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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