

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4917 of 2018

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Saroj Singh, Wife of Jaimangal Singh, Resident of Mohalla- Chhoti Marai, Ward No.24, Hajipur, Post Office- Hajipur, District- Vaishali, presently posted as Assistant Teacher, Government Middle School, Bari Yusufpur, Block- Hajipur, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Bihar, Patna.
2. The Principal Secretary, Department of Education, Bihar, Patna.
3. The Director, Primary Education, Officer-cum-Chairman, District Elementary Teacher Promotion Committee, Vaishali.
4. The District Education Officer-cum-Chairman, District Elementary Teacher Promotion Committee, Vaishali.
5. The District Programme Officer (Establishment), District- Vaishali.

.... Respondent/s

With

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Civil Writ Jurisdiction Case No. 4967 of 2018

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Ram Sagar Choudhary, Son of Shivji Chaudhary, Resident of Jadhua, Police Station- Hajipur, District- Vaishali, presently posted as Assistant Teacher, Middle School, Nava Nagar, Anchal- Bidupurm, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Bihar, Patna.
2. The Principal Secretary, Department of Education, Bihar, Patna.
3. The Director, Primary Education, Officer-cum-Chairman, District Elementary Teacher Promotion Committee, Vaishali.
4. The District Education Officer-cum-Chairman, District Elementary Teacher Promotion Committee, Vaishali.
5. The District Programme Officer (Establishment), District- Vaishali.

.... Respondent/s

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Appearance :

(In CWJC No.4917 of 2018)

For the Petitioner/s : Mr. Binod Kumar, Advocate

For the Respondent/s : Mr. Narendra Kumar, AC to GP-20

(In CWJC No.4967 of 2018)

For the Petitioner/s : Mr. Binod Kumar, Advocate

For the Respondent/s : Mr. Kameshwar Kumar, GP17

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 27-03-2018



Heard learned counsel for the petitioners and the respondents.

Both the writ applications have been filed by the petitioners for a direction to the respondents to consider their case for grant of promotion in Graduate Trained Scale from the date juniors have been granted such promotion.

Learned counsel for the petitioners by placing reliance of Annexures- 5 and 6, the order dated 04.09.2015 passed in C.W.J.C. No. 14075 of 2015 and order dated 29.11.2017 passed in C.W.J.C. No. 17303 of 2017 submits that the case of similarly circumstanced was considered by this Court and direction was issued to the competent authority to consider the case of the petitioner of the writ applications. He submits that the case of the petitioners may be disposed of with a direction to the respondents to consider the case of the petitioners for grant of promotion with effect from the date juniors to the petitioners have been granted such benefit.

In view of the above, both the writ applications are disposed of with a direction to the District Programme Officer (Establishment), Vaishali (respondent no.5) to take final decision with regard to the claim of the petitioners for grant of Graduate Trained Scale and if it is found that the juniors to the petitioners have been granted the benefit, similar treatment should be extended to the



petitioners from the date juniors have been granted such benefit. Final decision in this regard must be taken within a period of one month from the date of receipt/production of a copy of this order.

The respondents are obliged to ensure all consequential benefit of promotion within a further period of one month from the date of such decision.

With the aforesaid, the writ applications stand disposed of.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	31.03.2018
Transmission Date	

