

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9154 of 2017

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Ram Rati Devi, W/o Shri Sudarshan Prasad, Resident of Mohalla- Nimki Bhatti, In front of Eat Cabin Gulzarbagh, P.O.- Jhauganj, P.S.- Alamganj, Patna City, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Director, Primary Education, Education Department, Govt. of Bihar, Patna.
3. District Magistrate, Patna.
4. District Programme Officer, Establishment, Patna Collectorate, Patna.
5. District Education Officer, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shanti Pratap
For the Respondent/s	:	Ms. Shilpa Singh- Ga12
		Ms. Abhanjali, AC to GA 12

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 04-12-2018 Heard learned Counsel for the petitioner and the learned Counsel for the respondent State.

Counsel for the petitioner straneously urged that the petitioner be given benefit of second enhancement of scale under the ACP scheme.

The respondents have filed a counter affidavit. The specific stand is that the petitioner is a teacher of nationalised school and the scheme of ACP is not applicable to her. The same is an admitted position. They have also placed on record Resolution No. 660 of 8th February 1999 withdrawing the benefit of second time bound promotion with effect from



1.1.1996.

It is submitted that the admissible benefit in terms of the time bound promotion up till 31.12.1995 have been paid to the petitioner which is in compliance of Clause XI of the said resolution withdrawing the benefit of time bound promotion.

In view of such averments being made in the counter affidavit, there is no occasion for this Court to exercise its jurisdiction as the petitioner has no enforceable claim in view of the said resolution which has remained unchallenged till date.

The writ petition is therefore is devoid of merit and the same is accordingly dismissed.

(Madhuresh Prasad, J.)

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