

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.20942 of 2014

- =====
1. Dharmendra Kumar Mishra, Son of Yamuna Prasad Mishra, resident of village Dhanao, P.S.Banipur, District-Saran.
 2. Vijay Prakash Sharma, Son of Late Gadadhar Tiwary, resident of village Pirari, P.S. Derani, District-Saran.
 3. Brij Kishore Sah, Son of Kashinath Sah, resident of Mohalla Gudari Bazar Chhawani, P.S.Bhagwan Bazar, District-Saran.
 4. Usha Tiwary, wife of Lalan Upadhyay, resident of village-Kazipur, P.S.Doriganj, District-Saran.
 5. Saroj Kumari, Daughter of Late Gadadhar Tiwary, Wife of Arbind Kumar Mishra, resident of village Lerua, P.S.Madhaura, District-Saran.
 6. Srimati Sawitri Devi, wife of Amar Rai, resident of Mohalla Ram Nagar Chhawani, P.S. Bhagwan Bazar District-Saran.
 7. Sucheta kumari, wife of Kanhaiya Singh, resident of Mohalla Nai Bazar, South of Gandak Colony, P.S. Bhagwan Bazar, District-Saran.
 8. Sushma Kumari Seth wife of Late Ratneshwar Prasad resident of Mohalla Mahmmud Chowk, Mubarak Lane, Dahiyawan P.S. Chapra town, District Saran.
 9. Krishna Kumar Ram Son of Ram Brikchh Ram, resident of village Bishunpur Jagdish, P.S.Madhaura, District Saran.

.... Petitioners

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, govt. of Bihar, Patna.
3. The Director, Primary Education, Bihar, Patna.
4. The District Education Officer, Saran, Chapra.
5. The District Programme Officer, (Establishment)Saran, Chapra.

.... Respondents

=====

Appearance :

For the Petitioners : Mr. Ashok Kumar Mishra, Advocate.
For the Respondents : Mr. Dhurjati Kr Prasad, Advocate.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-05-2018 Heard learned counsel for the petitioners and learned
counsel for the respondents.

The following reliefs have been sought for by the
petitioners in the present writ application.

“A writ in the nature of Mandamus or any



other appropriate writ/order or direction directing the respondents to grant 2nd Financial Upgradation(Bitiya Unnayan) in Grade-I pay band of Rs. 4800/- after completion of 24 years of Service in Original Grade(Matric/Intermediate trained teacher,) in accordance with Bihar Rajkiyakrit Primary School teacher promotion Rules-2011 with all consequential benefits.”

The following statements have been made in paragraph 5 in the counter affidavit.

“5. That it is humbly stated that in pursuant to the letter number 11218 dated 12.08.2014 issued by the Personnel Department, all the promotional matter in which there is provision of reservation meeting of the departmental promotion committee has been stayed, further action will be taken with regard to financial upgradation in the meeting of the District Promotion Committee only after withdrawal of such stay.”

Considering the aforesaid facts and circumstances, the petitioners are directed to file a representation enclosing the necessary documents before the respondent no. 5, The District Programmer Officer (Establishment), Saran, Chapra, who shall consider the representation of the petitioners and pass an appropriate order in light of the statements made in paragraph no.



5 of the counter affidavit filed on behalf of the State, within a period of three weeks from the date of receipt/production of copy of this order.

With the aforesaid observations and directions, the present writ application stands disposed of.

U.K./-

(Sudhir Singh, J)

U			
---	--	--	--

