

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2558 of 2016

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Kumari Chandrawati wife of Shri Bhagwanji Dwivedi, resident of Village- Kashim Samail, P.O.- Koyala Dewa, Police Station- Mirganj, District- Gopalganj, retired while working as Head Teacher (Assistant Teacher) from Govt. Primary School Samail Garoop, Anchal- Hathua-II, District- Gopalganj.
... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
 2. The Director, Primary Education, Education Department, Govt. of Bihar, Patna.
 3. The District Magistrate, Gopalganj.
 4. The District Education Officer, Gopalganj
 5. The District Programme Officer (Establishment), Gopalganj.
 6. The District Treasury Officer, Gopalganj.
 7. The District Accounts Officer, Gopalganj.
 8. The Block Education Officer, Hathua-II, District- Gopalganj.
 9. The Head Master cum Drawing and Disbursing Officer of Govt. Primary School Samail Garoop, Anchal Hathua-II, District- Gopalganj.
- Respondent/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra, Advocate
For the Respondent/s : Mr. P.N. Shahi- AAG-10

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

5 09-05-2018 In view of the statements made in the counter affidavit in paras 7 to 9, the Court does not see any reason to grant indulgence in the present writ application. Paras 7 to 9 of the counter affidavit is quoted below for ready reference.

“7. That in the present context it is most respectfully submitted that the relief sought for by the petitioner (who had superannuated in the year 2006 itself) for 2nd time bound promotion/super selection grade after completion of 25 years of service is totally misconceived in as much as the scheme for grant of time bound promotion on completion of 10 years and 25 years of



service had come through the Finance Department Resolution No. 10770 dated 31.12.1981 and the said scheme grant of time bound promotion in the case of teachers of nationalized schools had later been abolished by the Finance Department w.e.f. 01.03.1989 vide Resolution No. 6022 dated 18.12.1989.

8. That it is submitted that as per the aforesaid provision of time bound promotion, the petitioner who had been provided with Matric Trained Scale w.e.f. 25.06.1977 was provided benefit of 1st time bound promotion w.e.f. 01.04.1987 and further as service length of 25 years for the purpose of 2nd time bound promotion stand completed in 2002 whereas the aforesaid provision of time bound promotion in case of teachers of nationalized primary schools had been abolished w.e.f. 01.03.1989.

9. That the senior scale of pay admissible after completion of 12 years of service as provided under Finance Department Resolution No. 6022 dated 18.12.1989 had been provided to the petitioner as it is evident from the entries recorded in the service book which has been enclosed as Annexure-2.”

In view of the averments made in the counter affidavit as quoted hereinabove, the writ petition is disposed of.

(Anil Kumar Upadhyay, J)

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