

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17197 of 2014

=====

Shashi Bhanu Kishore Uday, son of late Uday Bhanu Prasad Shahi, resident of village + P.O. Patedha, Police Station - Maharajganj, District - Siwan, at present posted and working as an Assistant Teacher in Govt. Primary School, Gorauli, Anchal - Daraunda, District - Siwan.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Joint Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, Primary Education, Bihar, Patna.
4. The District Magistrate, Siwan.
5. The Additional Collector (Establishment) Cum Member, Teachers Promotion Committee, Siwan.
6. The Regional Deputy Director of Education, Saran Division, Chapra.
7. The Chairman, District Elementary Teacher Promotion Committee-cum-District Education Officer, Siwan.
8. The District Programme Officer (Establishment), Siwan.
9. The Block Education Officer, Daraunda, District Siwan.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra, Advocate
For the Respondent/s : Mr. R. K. Chandran, AC to GP-19

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 13-09-2018

Heard learned counsel for the petitioner and State.

2. Learned counsel appearing on behalf of the petitioner submits that the gradation list was prepared in terms of the direction of the Full Bench in the case of **Ram Nath Prasad Singh vs. The State of Bihar & Ors**, reported in **2009 (3) PLJR 384** and as such the respondents are required to take final decision for publication of final gradation list in terms of the decision of the Full Bench in the case of **Ram Nath Prasad Singh** (supra) at the earliest.



3. Considering the fact that the direction of the Full Bench was issued in 2009, if the respondents have prepared the gradation list in the light of the judgment of the Full Bench in the case of **Ram Nath Prasad Singh** (supra) then the respondents have to take appropriate decision for grant of promotion to all eligible so that the dispute of seniority and promotion is taken to its logical end. Final decision in the matter of grant of promotion to the petitioner in terms of the judgment of the Full Bench in the case of **Ram Nath Prasad Singh** (supra) and consequential benefits must be taken by the respondents within a maximum period of four months from the date of receipt/production of a copy of this order.

4. With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	17.09.2018
Transmission Date	

