

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.477 of 2018

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Sudha Kumari, D/o Late ram Narayan sah, W/o Amrendra Prasad Sah, At + Post-Chouhatta, P.S. Kishanpur, District-Supaul. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Human Resources Department, Bihar, Patna.
 2. Director, Primary Education, Bihar, Patna.
 3. Regional Deputy Director, Saharsa.
 4. District Education Officer, Supaul.
 5. District Programme Officer Establishment, Supaul.
 6. Block Education Officer, Supaul. Respondent/s
- =====

Appearance :

For the Petitioner/s : Mr. Girjanand Prasad

For the Respondent/s : Mr. Umesh Narayan Dubey, AC to GP-27

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 16-03-2018

Heard learned counsel for the petitioner and State.

The grievance of the petitioner in the present writ application is non-consideration of the petitioner for grant of promotion on the post of headmaster.

Learned counsel for the petitioner submits that the petitioner has acquired qualification of Post-graduate from Nalanda Open University and as such the petitioner is duly qualified for consideration and grant of promotion as headmaster.

Vide order dated 24.01.2018, four weeks' time was granted to the respondents to file counter affidavit, but neither the counter affidavit has been filed nor the grievance of the petitioner has been redressed.



Under the aforesaid circumstances, the Court is constrained to dispose of the writ application with a direction to the Director, Primary Education, Bihar (respondent no.2) to examine the claim of the petitioner in accordance with rule prescribed for consideration and grant of promotion to the post of headmaster, if the petitioner's qualification of Post-graduate from Nalanda Open University is recognized by the State Government and if the petitioner is otherwise within the zone of consideration on account of seniority, the respondent Director shall consider the case of the petitioner for grant of promotion to the post of headmaster. Necessary decision in this regard must be taken by the respondent no.2 within a maximum period of two months from the date of receipt/production of a copy of this order. In the event, the respondent Director does not find merit in the claim of the petitioner, the respondent Director is required to give reasons for rejecting the claim of the petitioner for grant of promotion to the post of headmaster.

With the aforesaid, the writ application stands disposed of

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.03.2018
Transmission Date	

