

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 20234 of 2018

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1. Om Prakash Shrivastav son of Late Rameshwar Prasad, resident of Muhalla-Shanti Nagar, Raxaul, Police Station- Raxaul, District- East Champaran.
 2. Khushboo Shrivastav w/o Sandeep Kumar Shrivastav d/o Late Rameshwar Prasad, resident of Muhalla- Koiriya Tola, Ward No. 24, Raxaul, Police Station- Raxaul, District- East Champaran.
 3. Md. Abedullah s/o Tariq Miyan, resident of Village- Khirlichiya, Police Station- Raxaul, District- East Champaran.
 4. Gurudev Paswan son of Late Ram Janak Ram, resident of Village- Shipur Haraiya, Police Station- Raxaul, District- East Champaran.
 5. Sanjay Kumar Paswan, son of Ram Chandra Paswan, resident of Village- Khirlichiya, Police Station- Raxaul, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Director, Primary Education, Government of Bihar, Patna.
3. The District Magistrate, East Champaran at Motihari.
4. The District Education Officer, District- East Champaran at Motihari.
5. The District Programme Officer, Establishment (Education), District- East Champaran at Motihari.
6. The Block Education Officer, Block Office- Raxaul, District- East Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar
For the Respondent/s : Mr. Ashutosh Ranjan Pandey- Aag15

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 20-12-2018 Heard learned counsel for the petitioners and the respondent-State.

It is submitted by the learned counsel for the petitioners that in view of law laid down by this Court in the proceedings arising out of *LPA No 1699 of 2013*, petitioners are entitled to promotion as Trained Teacher in view of their having acquired Diploma in Primary Education.



This Court would find that pursuant to the declaration of law and even after passing of order dated 10.05.2018 in CWJC No 19333 of 2016, petitioners have never approached the authorities for the relief prayed for in the writ petition.

In the aforesaid circumstances, since there is no demand by the petitioners and refusal by the authorities, there is no scope for this Court to exercise writ jurisdiction in favour of the petitioners. Petitioners were required to raise their grievance before the authorities.

Writ petition is disposed of.

(Madhuresh Prasad, J)

M.E.H./-

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