

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21840 of 2012

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Krishna Mohan Yadav S/O Late Bakam Lal Yadav R/O Vill-Parbatta, P.S.-
KURSA Kanta, Distt-Araria

... .. Petitioner/S

Versus

1. The State Of Bihar
2. The Principal Secretary, Department Of Human Resources , Government Of Bihar, Patna
3. The Director, Primary Education , Department Of Human Resources , Government Of Bihar, Patna
4. The District Magistrate, Distt-Araria
5. The District Programme Officer(Establishment), Distt-Araria
6. The District Education Officer, Distt-Araria

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dharendra Kumar Jha
For the Respondent/s : Mr. Harendra Pd. Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 07-09-2018

For the reasons stated in I.A.No. 10085 of 2016, the prayer for substitution is allowed. The name of the original petitioner, Krishna Mohan Yadav, is expunged and in his place the following heirs and legal representatives of the original petitioner as mentioned in paragraph-1 of the substitution petition be substituted as Petitioner nos. 1(i) to 1(v):-

- “(i) Lakshmi Devi -wife of late Krishna Mohan Yadav
(ii) Amardeo Yadav - son of late Krishna Mohan Yadav
(iii) Gautam Kumar Gaurav-son of late Krishna Mohan Yadav

Sl.nos. (i) to (iii) are residents of village – Parbatta, PS
Kursa Kanta, District – Araria



- (iv) Pushpa Devi- Daughter of Late Krishna Mohan Yadav and wife of Ashok Choudhary, resident of village – Hasanpur, PS Palasi, District Araria
- (v) Poonam Devi – Daughter of late Krishna Mohan Yadav and wife of Ashok Kumar Yadav, resident of village – Hashauli, PS Palasi, District – Araria.”

The grievance of the petitioner in the present writ petition is non-consideration of 2nd time bound promotion which was admissible to him as per the Time Bound Promotion Scheme. Learned counsel appearing on behalf of the petitioner submits that the original petitioner had completed 25 years of regular service on 30th November, 1987 and as such he became eligible for grant of 2nd time bound promotion with effect from 30.11.1987. But the respondents have not granted him such promotion and the benefit of 2nd time bound promotion notwithstanding his completion of 25 years of service on 30th November, 1987. In view of the statutory obligation under the time bound promotion scheme, the respondents were required to grant such benefits.

Since the original petitioner has died during the pendency of the present proceedings, now the respondent authorities are required to examine the claim. If it is found that the original petitioner had completed 25 years of service on 30th November, 1987 the respondent-District Programme Officer



(Establishment), District Araria shall take steps for grant of 2nd time bound promotion to the original petitioner and grant all consequential benefits to the substituted heirs/legal representatives of the original petitioner within a maximum period of four months from the date of receipt/production of a copy of this order.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

mrl./-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	10/09/2018
Transmission Date	N.A.

