

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12810 of 2016

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1. Krishna Kant Narayan Singh Son of Late Shiv Narayan Singh Resident of Village - Adai, P.S. - Konch, District - Gaya, at present Assistant teacher in Middle School Kujapi, Nagar Block Gaya.
 2. Umesh Prasad Singh Son of Late Bachu Singh Resident of Village - Mahamadpur, P.S. - Tekari, District - Gaya, at present Assistant teacher in Upgraded Middle School Amwan, Bodh Gaya, Gaya.
 3. Mritunjay Kumar Pandey Son of Udyadhar Pandey Resident of Village - Fatehpur, P.S. - Fatehpur, District - Gaya at present Assistant teacher in Upgraded Middle School Ketra, Fatehpur, Gaya.
 4. Shashi Bhushan Pandey Son of Ayodhya Pandey Resident of Village - Lakhaipur, P.S. - Mohanpur, District - Gaya at present Assistant teacher in Upgraded Middle School, Manjhauli, Mohanpur, Gaya.
 5. Saiyad Sultan Ahmad Son of Saiyad Ataul Haque Resident of Village - Navadih, P.S. + District Aurangabad, at present Assistant teacher in Urdu Middle School Sonekhap, Sherghati, Gaya.
 6. Devendra Prasad 'Prabhat' Son of Late Ram Vilash Singh Resident of Village - Sohada, P.S. - Narari Kala Khurd District - Aurangabad, at present Assistant teacher in Upgraded Middle School, Manjhaulia - 2, Amas, Gaya.
 7. Sudhir Kumar Son of Late Ramashray Singh Resident of Village - Chichaura, P.S. Konch District Gaya at present Assistant teacher in Upgraded Middle School, Bara, Tekari, Gaya.
 8. Leelamani Kumari w/o Nawal Kishore Sharma Resident of Village - Rasalpur, P.S. - Alipur, District - Gaya, at present Assistant teacher in Upgraded Middle School, Amakuan Tekari, Gaya.
 9. Veena Kumari w/o Sri Surendra Prasad Singh Resident of Village - Shekhpura, P.S. - Sherghati, District - Gaya, at present Assistant teacher in Upgraded Middle School, Chapi, Sherghati, Gaya.
 10. Jai Nath Paswan Son of Mundrika Paswan Resident of Village - Bara Bhat Bigha, P.S. - Alipur, District -Gaya, at present Assistant teacher in Upgraded Middle School Raunagadh, Guraru, Gaya.
 11. Ramjee Thakur Son of Late Kunni Thakur Resident of Village - Nadraganj, P.S. - Civil Lines, District - Gaya at present Assistant teacher in Upgraded Middle School Kharati Bholabigha, Bodh Gaya, Gaya.
 12. Shiv Shankar Paswan Son of Budhan Paswan Resident of Village - Mahddipur, P.S. - Sherghati, District - Gaya at present Assistant teacher in Upgraded Middle School Kharati Balvatanr Bodh Gaya, Gaya.
 13. Neeta Kumari w/o Shree Vijay Kumar Sinha Resident of Village - Chotaki Nawada, P.S. - Chandauti, District - Gaya at present Assistant teacher in Upgraded Middle School Satgharwa Bodh Gaya, Gaya.
 14. Malti Kumari W/o Arun Kumar Resident of Village - Taradih, P.S. - Madanpur, District - Aurangabad at present Assistant teacher in Upgraded Middle School Moramardana - 1 Bodh Gaya, Gaya.
 15. Dilip Kumar Son of Shri Mannu Prasad Resident of Village Balua, P.S. - Belaganj, District Gaya, at present Assistant teacher in Upgraded Middle School Satgharwa Belma Tekari, Gaya.
 16. Binodanand Giri Son of Ramvaran Giri Resident of Village - Kenari, P.S. - Mohanpur, District - Gaya at present Assistant teacher in Upgraded Middle School Matihani, Mohanpur, Gaya.



.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Human Resources Development Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Joint Secretary, Department of Education, Govt. Bihar, Patna.
4. The Director Primary Education, Govt. of Bihar, Patna.
5. The Regional Deputy Director of Education, Magadh Division, Gaya.
6. The District Magistrate, Gaya.
7. The District Education Officer, Gaya.
8. The District Programme Officer (Establishment), Gaya.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate

For the Respondent/s : Mr. Pramod Kr. Singh, AC to SC16

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 10-05-2018

Heard learned counsel for the petitioners and counsel appearing on behalf of the State.

2. Learned counsel appearing on behalf of the petitioners submits that the respondents have now issued another circular. Under the present circular, the respondents have decided to consider the case for grant of promotion by 31st of December every year. He further submitted that in view of the above, the writ petition may be disposed of with a direction to the respondents to consider the case of the petitioner and others in accordance with the rule considering the seniority of the petitioner and others against the vacancy of the Headmaster for which they have assured taking step for promotion.

3. In view of the notification of the State Government contained in Memo No. 484 dated 31.03.2018, the respondents are



expected to take final decision with regard to grant of promotion to all eligible including the petitioner in accordance with the notification as contained in Memo No. 484 dated 31.03.2018 strictly on the basis of seniority list, which is the basis for grant of promotion.

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

(Anil Kumar Upadhyay, J)

Uday/Deo

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	14.05.2018
Transmission Date	

