

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8998 of 2017

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Lakshmeshwar Sharma Son of late Ram Parikshan Sharma Resident of Village- Raghunathpur, P.O. Bisaul, P.S. Harlakhi, District Madhubani ; presently Posted as Incharge Headmaster in Rajendra Collegiat School, Chapra, District - Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Director, Secondary Education, Govt. of Bihar, Patna.
3. The Regional Deputy Director of Education (R.D.D.E), Saran Division, Chapra.
4. The District Education Officer, Saran at Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate
For the Respondent/s : Mr. Jitendra Kumar Roy No-1 Sc13

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 17-04-2018 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The grievance of the petitioner is non consideration of this case for promotion, whereas juniors to the petitioner have been considered and granted such promotion.

In this case on 5.12.2017 six weeks time was granted to the respondents to file counter affidavit but the respondents have not filed any counter affidavit.

In the aforesaid circumstances, instead of keeping the matter pending, this writ petition is disposed of with a direction to the respondent No.2, Director, Secondary Education to decide



the claim of the petitioner for grant of promotion and if it is found that persons junior in the seniority list has been granted promotion as Headmaster, the respondent-Director is obliged to consider the case of the petitioner and grant benefit of promotion and consequential benefits including monetary benefits from the date juniors have been granted promotion .The entire exercise must be taken within a maximum period of 60 days 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)

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