

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2365 of 2018

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Rama Nand Chaudhary, Son of Late Maheshwari Chaudhary, resident of Village Khaira, P.S. Khaira, District- Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Education Department, Govt. of Bihar Patna.
2. The Director Primary Education Govt. of Bihar, Patna.
3. The District Education Officer Jamui District Jamui.
4. The District Programme Officer (Establishment) Jamui, District Jamui.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Arun Kumar, Advocate
		Mr. RVP Singh @ Sanjay, Advocate
For the Respondent/s	:	Mr. S.C. Mishra- SC-16

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 04-05-2018 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The grievance of the petitioner in the present writ petition is non-consideration of his case for grant of first and second ACPs on completion of 12 years and 24 years of service under the Bihar Primary School Teachers Promotion Rules, 2011.

Learned counsel for the petitioner submits that the respondents have not taken any decision in terms of the Promotion Rules, 2011.

Considering the provisions of the Rules 2011 particularly rule 7 and the fact that the petitioner has served for



more than 29 years without getting any benefit of financial upgradation, the writ petition is disposed of with a direction to the respondents to consider the case of the petitioner in accordance with rule 7 of 2011 Rules and take final decision within a maximum period of 60 days from the date of receipt/production of a copy of this order.

It goes without saying that once the respondents admit the claim of the petitioner, they will have to provide all consequential benefits within a further period of one month from the date of their decision.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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