

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8775 of 2017

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1. Uma Shankar Singh, Assistant Teacher High School Karari, Son of Sant Prasad, Police Station-Ara Mufassil, District-Bhojpur. Resident of Mohalla-Pakari, Police Station-Ara Nawada, District-Bhojpur.
 2. Ram Ratan Prasad, Assistant Teacher, Son of Late Ganouri Mahato K.B. Sahay + 2 School, Sheikhpura, Police Station-Shastri Nagar, District-Patna. Residing at Sindwari Police Station Wazirganj District-Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Human Resources Development Department Govt. of Bihar, Patna.
3. The Director, Secondary Education, Govt. of Bihar, Patna.
4. The Chairman, Bihar Public Service Commission, Bailey Road, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh
For the Respondent/s : Mr. MADANJEET KUMAR- GP20

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 09-03-2018 Heard learned counsel for the petitioner and the State.

Learned counsel for the petitioner submits that for the purpose of appointment on the post of Headmaster there are two modes, (i) 50% by way of direct recruitment and (ii) 50% by way of promotion. He submits that the respondents have started process for filling up 50% quota of promotees but till date they have not initiated any process for filling up 50% posts by direct recruitment. It is further submitted that after 2007 the respondents have not taken step for filling up the vacancies in the direct recruitment quota.



In view of the fact that large number of vacancies are available in the post of Headmaster and if the respondents have initiated action for filling up the quote of promotees then they are required to also consider the case for filling up the quota of direct recruits as well. The respondent-State authorities are required to act in accordance with the notification dated 25.6.2005 and take appropriate step at the earliest to fill up the vacancies of Headmasters in accordance with law for the direct recruit quota. Necessary action in this regard may be taken expeditiously preferably within six months from the date of receipt/production of a copy of this order.

With the aforesaid direction and observation, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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