

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7916 of 2018

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Hari Narayan Sharma, son of Late Bachchu Sharma, Resident of Mohalla - Salempur, P.O. and P.S. Chapra, District - Saran at Chapra, presently working as an Assistant Teacher, Government Basic School, Ferusa, District - Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Primary Education, Education Department, Government of Bihar, Patna.
4. The Director, Administration, Education Department, Government of Bihar, Patna.
5. The Regional Deputy Director of Education, Saran Division, Chapra.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. S. B. K. Mangalam, Advocate
Mrs. Anita Kumari, Advocate

For the Respondent/s : Mr. Amit Bhushan, AC to GP-17

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 02-05-2018

Heard learned counsel for the petitioner and State.

2. The petitioner has filed the present writ application for a direction to the respondents to consider his case for grant of promotion.

3. Mr. S. B. K. Manglam, learned counsel for the petitioner submits that at the relevant time when the case of the petitioner was considered for grant of promotion, as evident from Annexure-3, the case of the petitioner was kept in abeyance in the name of pending certain enquiry. He submits with reference to Annexure-4 that enquiry has come to an end and in view of the aforesaid he submits that there is no impediment in the way of respondents in considering the case of the petitioner for grant of



promotion.

4. Since the respondents have considered the case of similarly circumstanced others vide Annexure-5 and granted promotion, the case of the petitioner was kept in abeyance in the name of pending enquiry and in view of the subsequent development the respondents are required to consider the case of petitioner along with others for grant of promotion from Lower Sub-Ordinate Education Service to Sub-Ordinate Education Service.

5. Considering the totality of the facts situation, let the case of the petitioner be considered by the respondents in accordance with law i.e. relevant Rule for grant of promotion within a period of 60 days from the date of receipt/production of a copy of this order.

6. It goes without saying that in case the petitioner is found fit for grant of promotion, the petitioner would be entitled to all consequential benefits from the date similarly circumstanced/juniors to the petitioner have been granted such promotion.

7. With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	16.05.2018
Transmission Date	

