

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12905 of 2014

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Panchanand Panday S/O Sri Jagdish Panday, Resident of Village- Salalpur,
P.O.- Mubarakpur, P.S.- Barh, District- Patna

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Principal Secretary, Education Department, Government of Bihar, Patna
3. The Joint Secretary, Education Department, Government of Bihar, Patna
4. The Director, Secondary Education, Govt. of Bihar, Patna
5. The Regional Deputy Director of Education Munger Pramandal, Munger
6. The District Education Officer, Begusarai
7. The Block Education Officer, Begusarai Sadar Block, District- Begusarai

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rajkumar Rajesh
For the Respondent/s : Mr.Rakesh Ranjan, AC to GP22

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 02-07-2019 Heard counsel for the petitioner and counsel for the
respondents-State.

Petitioner claims that in light of resolution dated 21.01.2010 and in view of his requisite qualification for promotion to class III post, he should have been allowed promotion.

Petitioner had earlier approached this court and withdrawn the writ petition to avail departmental remedy on 01.04.2013 as is evident from order passed in CWJC no. 5113/2013 (Annexure 5 to writ petition). Petitioner having withdrawn writ petition has filed representation before the



authority. The specific uncontroverted stand in the counter affidavit is that in the provisional seniority list of class IV employees of Munger Division, petitioner was at serial no. 113. None below the petitioner has been allowed benefit of promotion.

In view of the aforesaid situation at the moment, there is no occasion for this court to exercise its discretion as there is nothing on record to suggest that the petitioner by virtue of his position in the provisional seniority list is entitled to promotion or that any person below the petitioner in the list has been promoted.

Writ petition is dismissed.

(Madhuresh Prasad, J)

s.hassan/-

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