

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9580 of 2019

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Shambhu Singh son of Late Ramayan Singh Resident of Village Hussepur,
P.S. Amnour, District- Saran. Petitioner/s

Versus

1. The State of Bihar .
 2. The Principal Secretary, Education Department, Government of Bihar, New Secretariat, Patna.
 3. The Director (Primary Education), Education Department, Govt. of Bihar, Patna.
 4. The Director (Administration)-Cum- Additional Secretary, Education Department, Govt. of Bihar, Patna.
 5. The Regional Deputy Director of Education, Saran Division, at Chapra.
- Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh
For the Respondent/s : Mr.Kameshwar Kumar (Gp17)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 27-08-2019 It appears that petitioner has approached the respondent Director for correction in the date of grant of promotion to the petitioner vide Annexure-3 and representation in this regard contained in Annexure-6 is pending since 24.11.2017.

Learned counsel submits that this petitioner has to approach civil court for appropriate declaration of Title Suit No. 178 of 1994 and thereafter matter was considered in Title Appeal No. 57 of 1997 and later in second appeal No. 480 of 1998. Thereafter, the matter was taken to the Apex Court and the Apex Court also decided the matter in favour of the petitioner in SLP(Civil) No. 7190 of 2000 yet the petitioner has



not been extended the benefit to which the petitioner is entitled.

Learned counsel submits that notwithstanding the seniority of the petitioner, the petitioner was granted promotion from the subsequent date i.e. 11.5.2012 whereas juniors to the petitioner have been granted such benefit from the date anterior to the 11.5.2012.

Since the representation of this petitioner for correction in the date of grant of promotion is pending before Director, Primary Education it would be appropriate that he shall take appropriate decision on the representation filed by the petitioner contained in Annexure-6 dated 24.11.2017 at the earliest preferably within a period of sixty days from the date of receipt/production of a copy of this order with all consequential benefits.

The respondent Director is required to take care of seniority of the petitioner and the decision in Second Appeal No. 480 of 1998 affirmed in SLP (Civil) No. 7190 of 2000 while taking such decision.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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