

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.943 of 2018

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1. Ravindra Nath Thakur S/o Late Rudra Nand Thakur, R/o at and PO-Parammani, P.S.- Sadarsi, District- Purnea. at present working as Assistant Teacher, Middle School Dangaraha, Block- Srinagar, District- Purnea.
 2. Vijendra Kumar Jha, S/o Late Guneshwar Jha, R/o Moh- Shanti Nagar, P.S.- K. Hatt, District- Purnea. at present working as Assistant Teacher, Middle School Anup Nagar, Bellaury, Block- Sadar East, District- Purnea.
 3. Shankar Mehto, S/o Sri Ram Krishna Mahto, R/o Moh- Line Bazar, Purnia, P.S.- Khajanchi Hat, District- Purnea. at present working as Assistant Teacher, Middle School Harijan Rajiganj, Block- Sadar East, District- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Joint Secretary to the Government, Education Department, Govt. of Bihar, Patna.
4. The Director, Secondary Education, Govt. of Bihar, Patna.
5. The Regional Deputy Director of Education, Kosi Division, Purnea.
6. The District Education Officer-cum-Chairman, District Primary Teachers Promotion Committee, Purnea.
7. The District Programme Officer Estt.-cum-Secretary, District Primary Teachers Promotion Committee,

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Rajeev Kumar Singh
		Mr. Gyanendra Kumar Dinakar
For the Respondent/s	:	Smt. Binita Singh- Sc28

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

5 09-09-2019 From the pleading, it appears that one officer is

passing one order and other officer is passing different order.

There is no coherence in the decision of the respondents.

From Annexure-5, it appears that Regional Deputy Director, Purnea Division Purnea has indicated in the order contained in memo no. 105 dated 22.2.2017 that those who have been granted promotion by District Education Officer, Purnea



on 21.1.2017 shall be deemed to have been promoted whereas the District Education Officer-cum-Chairman District Primary Teachers Promotion Committee, Purnea vide memo no. 2565 dated 2.11.2017 has passed order contrary to what has been decided by the Regional Deputy Director.

Considering the aforesaid, the writ petition is disposed of with a direction to the Director, Primary Education to examine the entire issue and reconcile the conflict between Annexure-1 and 5 so that consistency may be maintained in the decision making process. The respondent Director, Primary Education is required to pass appropriate order in connection with status of of the petitioner whether promoted or not within a maximum period of 45 days from the date of receipt/production of a copy of this order.

With the aforesaid, the writ application stands disposed of.

The decision of the Director, Primary Education in the matter of promotion shall be final and binding upon the petitioners.

(Anil Kumar Upadhyay, J)

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