

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12957 of 2019

1. Mahendra Pratap Singh @ Mahendra Singh Son of Late Bhubneshwar Singh Resident of Village- Chhatarpura, P.S.- Ramgarh, District- Kaimur, Bhabhua, Bihar.
2. Abhimanu Singh Son of Sri Arjun Singh Resident of Village- Dewaria, Bhitthi, P.S.- Mohania, District- Kaimur, Bhabhua, Bihar.
3. Baleshwar Tiwari Son of Pandit Jagarnath Tiwari Resident of Village- Kohari, Darauli, P.S.- Bhabhua, District- Kaimur, Bhabhua, Bihar.
4. Jokhan Seth Son of Lalmuni Seth Resident of Village- Deohalia, P.S.- Ramgarh, District- Kaimur, Bhabhua, Bihar.
5. Shio Parasan Singh Son of Late Harihar Singh Resident of Village- Kohari, P.S.- Bhabhua, District- Kaimur, (Bhabhua), Bihar.
6. Suresh Kumar Pandey Son of Late Subba Pandey Resident of Village- Baghani Kala, P.S.- Mohania, District- Kaimur, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, General Administration Department, Government of Bihar, Patna.
2. The Principal Secretary Human Resources Department, Government of Bihar, Patna.
3. The Additional Secretary General Administration Department, Government of Bihar, Patna.
4. The Regional Deputy Director of Education Patna Division, Patna.
5. The District Education Officer District Kaimur (Bhabhua), Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan
For the Respondent/s : Smt. Shilpa Singh, (GA-12)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 01-07-2019 Heard learned counsel for the petitioners and the
counsel appearing on behalf of the State.

Petitioners are aggrieved by the order dated 18.6.2019
passed by the District Education Officer, Kaimur (Bhabhua).

Considering the order passed in C.W.J.C. No. 16366
of 2015 the matter of grant of promotion was considered on



06.06.2019. The office order granting promotion was issued but the decision granting promotion was subsequently withdrawn on the ground that the decision was taken notwithstanding the model code of conduct was in force during preliminary. From perusal of Annexure-5 it appears that there is no other reason for withdrawing the order dated 06.06.2019. Now the election is over and as such the Court does not found any reason or legal infirmity in the order contained Annexure-4 granting promotion to the petitioner.

Considering the aforesaid, the writ petition is disposed of with a direction to the District Education Officer, Kaimur, Bhabhua to take appropriate decision with regard to the status of the petitioner in terms of Annexure-4 at the earliest preferably within a period of 30 days from the date of receipt/production of copy of this order.

While taking decision, the District Education Officer, Kaimur, Bhabhua is required to keep in mind that the parliamentary election is over. The decision in this regard must be taken by the respondent within a time frame of 30 days as indicated herein above with all consequential benefits.

(Anil Kumar Upadhyay, J)

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