

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13371 of 2019

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Bipin Bihari Sinha, Son of Late Dina Nath Singh, Resident of Village and Post Office- Bardahiya, Via- Mirzapur, Police Station- Marhowrah, District- Saran. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development Department, Government of Bihar, New Secretariat, Patna.
2. The Director, Primary Education, Government of Bihar, Patna.
3. The Regional Deputy Director of Education, Saran Division at Chapra.
4. The District Education Officer, Saran at Chapra.
5. The District Programme Officer (Establishment), Saran at Chapra.
6. Ashok Kumar Singh, Son of Gorakh Singh, Resident of Village and Post Office- Dhorlahi Kaithal, Police Station- Amnour, District- Saran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh
For the Respondent/s : Mr. Sunil Kumar, AC to GA-12

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 04-07-2019 Heard learned counsel for the petitioner and the State.

The petitioner is aggrieved by non-consideration of his case for grant of promotion.

Learned counsel for the petitioner submits that the petitioner is eligible for grant of promotion as Headmaster on account of the fact that the petitioner fulfills all the conditions for grant of promotion to the post of Headmaster. He further submits that the petitioner was appointed way back on 07.04.1988 and he has all the requisite qualification for promotion in terms of the Rules, yet the respondents have ignored the case of the petitioner in the matter of promotion on



the post of Headmaster. Learned counsel submits that the petitioner is Graduate Trained and has also acquired Post Graduate degree from Nalanda Open University in 2016 and as such he fulfills all the conditions for grant of promotion. He submits that the respondents have arbitrarily considered the case of others, who were much junior to the petitioner in the matter of grant of promotion.

Considering the aforesaid, the writ application is disposed of with a direction to the respondents to consider the case of the petitioner for grant of promotion in the light of their own letter dated 25.06.2018 and if the petitioner fulfills all the conditions for grant of promotion i.e. eligibility, academic qualification and necessary experience, then the respondents have to pass appropriate order for grant of promotion against the vacancy available with the respondents.

Necessary decision in this regard may be taken by the respondents within a maximum period of 60 days from the date of receipt/production of a copy of this order.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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