

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14186 of 2019

1. Bauelal Mahto Son of Late Doman Mahto Resident of Village-Sajhwar, Police Station-Bahera, District-Darbhanga
2. Shesha Narayan Jha Son of Late Satya Narayan Jha Resident of Village-Ughara, Police Station-Bahadurpur, District-Darbhanga
3. Udaykant Jha Son of Late Ram Nihora Jha Resident of Village-Pauram, Police Station-Hayaghat, District-Darbhanga
4. Padma Nand Jha Son of Late Krishnadeo Jha Resident of Village-Balha, Police Station-Bahera, District-Darbhanga
5. Kripanand Jha Son of Late Lakshman Jha Resident of Village-Baghant, Police Station - Manigachhi, District-Darbhanga
6. Kameshwari Devi Wife of Late Radhakant Jha Resident of Village-Baghant, Police Station - Manigachhi, District-Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Primary Education, Government of Bihar, Patna
2. The Principal Secretary Human Resources Development Department, Government of Bihar, Patna
3. The Director Primary Education, Government of Bihar, Patna
4. The Regional Deputy Director of Education Darbhanga
5. The District Magistrate Darbhanga
6. The Deputy Development Commissioner Darbhanga
7. The District Education Officer Darbhanga
8. The District Programme Officer (East) Darbhanga

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ramashankar Singh, Adv.
For the Respondent/s : Mr. Madhukar Mishra, AC to SC-16

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 17-07-2019 Heard learned counsel for the petitioners and the
counsel appearing on behalf of the State.

Six petitioners have approached this Court for
direction to the respondents to consider their case for grant of



ACP/MACP/Second Time Bound Promotion.

Petitioner no.1 claimed that he was appointed on 12.12.1982, he was granted First Time Bound Promotion on 14.12.1994. Petitioner no.2 was appointed on 27.07.1970 and he was granted First time bound promotion w.e.f. 04.04.1981 and petitioner no.2 retired on 31.03.2009. Petitioner no.3 claim that he was appointed on 15.05.1973 and he was granted first time bound promotion w.e.f. 15.05.1993 and he retired on 31.07.2008. Petitioner no.4 claim that he was appointed on 15.10.1973 and he was granted first time bound promotion on 15.10.1983 and he retired on 31.01.2008. Petitioner No. 5 claim that he was appointed on 12.07.1971 and he got first time bound promotion on 12.07.1981 and he retired on 30.06.2007. Petitioner No.6 is widow of Late Radha Kant Jha who died on 28.03.2013. The husband of the petitioner no.6 who was appointed on 01.02.1963 and he got first time bound promotion w.e.f. 01.04.1981 and he retired on 28.02.2003. The first time bound promotion shall available on completion of 12 years and second time bound promotion is available on completion of 25 years. The time bound promotion scheme ceases to exist w.e.f. 31.12.1995 so the second time bound promotion was available to a teacher who has completed 25 years before 31.12.1995.



Thereafter, the respondents have framed the scheme of ACP and MACP.

Considering the fact that six petitioners have different facts and they have joined together in one writ petition, the writ petition is disposed of with liberty to the petitioners to file separate representation addressed to the District Programme Officer (Establishment), Darbhanga who shall examine the respective case of the petitioners and on verification of service record the District Programme Officer (Establishment), Darbhanga shall take appropriate decision with regard to the entitlement of grant of time bound promotion and ACP in terms of the existing rules. Necessary decision in claim of the petitioner be taken by the District Programme Officer (Establishment), Darbhanga within a period of 60 days from the date of receipt/production of copy of this order.

With the aforesaid, the present writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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