

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14301 of 2019

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1. Rambujhavan Jha Son of Late Rajendra Jha, Resident of Village- Ughara, Police Station- Bahadurpur, District- Darbhanga.
 2. Vivekanand Mishra Son of Late Vishnukant Mishra, Resident of Village- Dhanauli, Police Station- Baheri, District- Darbhanga.
 3. Kamdeo Jha Son of Late Rajendra Jha, Resident of Village- Ughara, Police Station- Bahadurpur, 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. Mr. Jagdish Prasad Singh, Adv.
Mr. Ramashankar Singh, Adv.

For the Respondent/s : Mr. Jai Prabhat Kishor, Adv.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 18-07-2019 Heard learned counsel for the petitioners and the
counsel appearing on behalf of the State.

Three 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 claim that he was appointed on
11.12.1982, he was granted First Time Bound Promotion on



11.12.1994 and second time bound promotion on 01.09.2011 and petitioner no.1 retired on 31.03.2013. Petitioner no.2 was appointed on 05.05.1976 and he was granted First time bound promotion w.e.f. 01.04.1989 and second time bound promotion on 01.09.2011 and petitioner no.2 retired on 31.01.2016. Petitioner no.3 claim that he was appointed on 10.09.1981 and he was granted first time bound promotion w.e.f. 10.09.1993 and second time bound promotion w.e.f. 01.09.2011 and he retired on 31.12.2016. 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 three 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 petitioners 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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