

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.19896 of 2019**

Radha Krishna Prasad, Son of Late Mauji Ray, Resident of Village-  
Bhagwanpur, P.S.- Awatar Nagar, District- Saran at present posted and  
working as an Assistant Teacher (Graduate Trained Science) in Government  
Upgraded Middle School Fatehpur Chain Balak, Anchal- Dariyapur, District-  
Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department,  
Govt. of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Govt. of Bihar,  
Patna.
3. The Director, Primary Education, Bihar, Patna.
4. The District Magistrate, Saran, Chapra.
5. The Regional Deputy Director of Education, Saran Division, Saran, Chapra.
6. The District Education Officer, Saran, Chapra.
7. The District Education Officer-cum-the Chairman District Elementary  
Teacher Promotion Committee, Saran, Chapra.
8. The District Programme Officer (Establishment) Saran, Chapra.
9. The District Programme Officer (Establishment) - cum - the Member  
Secretary, District Elementary Teacher Promotion Committee, Saran,  
Chapra.
10. The District Transport Officer-cum-the Member District Elementary Teacher  
Promotion Committee, Saran, Chapra.
11. The Block Education Officer, Dariyapur, Saran, Chapra.

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr. Umesh Kumar Mishra, Advocate  
For the Respondent/s : Mr. Sanjay Kumar, A.C. to G.P. 23

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL ORDER**

2      26-09-2019                      Heard learned counsel for the petitioner and learned  
counsel appearing for the respondents.

The grievance of the petitioner in the present writ  
application is non-consideration of his case for promotion in the



scale of Headmaster.

Learned counsel for the petitioner would submit that persons who are juniors to the petitioner were granted benefit of promotion but petitioner has been discriminated.

Considering the claim of the petitioner that many persons junior to the petitioner has been granted benefit of promotion, the present writ application stands disposed of with a direction to the respondent District Programme Officer (Establishment) Saran, Chapra, to examine the claim of the petitioner and if it is found that the petitioner is eligible for consideration and grant of promotion as Headmaster, he shall pass appropriate order in connection with grant of promotion to the petitioner from the date any person junior to the petitioner have been granted promotion as Headmaster. The respondents are under obligation to grant all consequential benefits which were extended to the juniors of the petitioner on promotion as Headmaster. Necessary decision with regard to the claim of the petitioner be taken at the earliest, preferably within a maximum period of 60 days from the date of receipt/production of a copy of this order. In the event there is any delay in grant of monetary benefit the arrear shall carry interest @ 9% p.a. from the date juniors to the petitioner was granted such benefit. The amount of



interest shall be borne from the pocket of the erring officers.

**(Anil Kumar Upadhyay, J)**

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