

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19682 of 2019

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Krishnanadan Prasad, Son of Late Prayag Mahto, Resident of Village-
Uttarthu, Police Station- Asthawa, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
Govt. of Bihar, Patna.
2. District Education Officer, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Binoy Kumar Singh, Advocate Miss Sweta Raj, Advocate
For the Respondent/s	:	Mr.Madhaw Prasad Yadav (GP-23) Mr. Arvind Kumar, AC to GP 23

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 24-09-2019

Heard learned counsel for the petitioner and the

State.

2. The grievance of the petitioner in the present writ
petition is non-consideration of his case for grant of second time
bound promotion.

3. Learned counsel for the petitioner would submit that
the petitioner was appointed as Teacher on 6.10.1964 and on
completion of 24 years, he was entitled to second time bound
promotion, which was available up-to 31.12.1995. The petitioner
was superannuated on 31st of January, 1998. He submits that
before the date of superannuation the petitioner was entitled to
second time bound promotion in terms of the prevailing time



bound promotion scheme. Even otherwise he was entitled to benefit under the ACP Rules.

4. Considering the aforesaid, the writ petition is disposed of with direction to the respondents to examine the claim of the petitioner and if it is found that the petitioner had completed 25 years of service before December, 1995, the respondents may consider the case of the petitioner for grant of second time bound promotion and in the event the second time bound promotion is not available, the respondents may consider the case of the petitioner for grant of benefit under the ACP Rules, if otherwise the petitioner is qualified for the said promotion. Necessary decision in this regard must be taken by the respondents within a maximum period of 60 days from the date of receipt/production of a copy of this order .

5. With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

spandey/-

AFR/NAFR	NAFR
CAV DATE	NA
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Transmission Date	NA

