

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24012 of 2019

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Amit Kumar, son of Balram Deo, resident of Mohalla- Opposite of R.C. Paul,
Bank Colony Road, Patel Nagar, Phulwari Shariff, Post Office- Phulwari
Shariff, Police Station- Phulwari Shariff, District- Patna.

... .. Petitioner/s

Versus

1. The Bihar Education Project Council through its Administrative Officer having its Office at Shiksha Bhawan, Bihar Rastrahasha Compound, Saidpur, Rajendra Nagar, Patna-4.
2. The State Project Director, Bihar Education Project Council, Patna.
3. The Principal Secretary Department of Education, Government of Bihar, Patna.
4. The State Appellate Authority Patna through its Secretary, Education Department, Bihar, Patna having its Office at 5 C.D. Niyojan Bhawan, Baily Road, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Arun Kumar, Advocate
For the Respondent/s	:	Mrs. Shilpa Singh (GA-12)
		Mr. Ram Vinay Prasad Singh, AC to GA-12
For BEPC	:	Mr. Girish Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 03-12-2019 The petitioner seeks a direction to the State Project Director, Bihar Education Project Council, Patna/ respondent No. 2 to post him as a Store Keeper and not as Store In-charge, as the post of Store In-charge is inferior to that of the Store Keeper and which post he has held since 2011.

From the records, it appears that the petitioner was initially appointed on contractual basis for one year



on the post of Store Keeper in *Bihar Madhyamik Shiksha Parishad*, Patna. Before the dissolution of the aforesaid *Bihar Madhyamik Shiksha Parishad* and formation of Bihar Education Project Council, the petitioner stood deputed in the State Appellate Authority as a Bench Clerk. On the formation of Bihar Education Project Council in the year 2018, the petitioner made an application before the authority for relieving him for joining equivalent post which he had held in the *Parishad* in the Bihar Education Project Council. The petitioner though was relieved but the said Project Director has posted him as a Store In-charge.

There is no reason whatsoever for placing the petitioner at a post which is lower in rank and lesser in pay than Store Keeper, which post he has held continuously since 2011.

Mr. Arun Kumar, learned advocate for the petitioner has submitted that notwithstanding several representations having been made by him before the



State Project Director, Bihar Education Project Council,
Patna/respondent No. 2, the same has not yet been
attended to.

The petitioner, under the aforesaid
circumstances is directed to make a fresh representation
before respondent No. 2 within a period of four weeks,
who, on receipt of the representation, shall pass a
reasoned order in accordance with law within a further
period of four weeks. If the claim of the petitioner is
found to be tenable, necessary order for posting the
petitioner at the commensurate post of Store Keeper
shall be passed within the aforesaid period.

With the aforesaid observation/direction, the
writ petition stands disposed off.

(Ashutosh Kumar, J)

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