

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.65 of 2020**

1. Jagat Narain Singh Son of Late Bachcha Prasad Singh resident of Ward No. 8 Near Kumhar Toli, at Chapra, District- Saran now Superannuated as In-charge Head Master, Middle School, Mirganj Arrah, District- Bhojpur.
2. Narendra Kumar Rai Son of Shri Ram Gobind Rai resident of Village- Amharuan, Police Station- Chawri, District- Bhojpur retired Science Teacher, Middle School Chowk Arrah, District- Bhojpur.
3. Brij Behari Prasad Son of Late Radha Prasad Resident of Village- Ayar, P.S. Ayar, District- Bhojpur Retired Science Teacher, Upgraded Sanskrit Middle School, Ayar- Jagdishpur, District- Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar (through Principal Secretary), Department of Education, Government of Bihar, New Secretariat Building, Patna.
2. The Director, Primary Education, Government of Bihar, New Secretariat Building, Patna.
3. The Regional Deputy Director of Education, Patna Division Office Situated at Budha Marg, Patna.
4. The District Education Officer, Bhojpur-cum- Chairman, District Primary Teachers Promotion Committee, Bhojpur at Arrah.
5. The District Programme Officer (Establishment) Bhojpur-cum- Secretary, District Primary Teachers Promotion Committee, Bhojpur at Arrah.

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr.Subodh Kumar Sinha  
For the Respondent/s : Mr.Madanjeet Kumar ( Gp20 )

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

3      24-02-2020                      Heard learned counsel for the petitioners and the  
counsel appearing on behalf of the State.

After series of litigation, the issue of preparation of  
gradation list was finally decided by the Full Bench of this  
Court in **Ram Nath Prasad Singh 2009(3) PLJR 384** and the



Full Bench directed the State authorities to prepare separate gradation list for Science and Arts teachers and thereafter they have to prepare a combined gradation list for further promotion to the post of Headmaster.

Grievance of the petitioners in the present writ application is that even after expiry of 11 years of the judgment of the Full Bench, the respondents are indecisiveness and on pick and choose basis they have prepared the gradation list and granted further promotion to the post of Headmaster.

Despite indulgence granted by this Court, no counter affidavit has been filed.

Under the aforesaid circumstances, the writ petition is disposed of with a direction to the respondent District Programme Officer (Establishment), Ara to verify the record and take appropriate decision with regard to the claim of the petitioners in the light of the judgment of the Full Bench in **Ram Nath Prasad Singh** (supra) as well as 1973 rules and 2011 promotion rules.

Final decision on the claim of the petitioners must be taken by the respondents in the light of the judgment of the Full Bench, 1993 rules and 2011 promotion rules with all consequential benefits within a maximum period of four months



from the date of receipt/production of a copy of this order.

Any delay in the matter of taking decision shall be  
viewed seriously.

**(Anil Kumar Upadhyay, J)**

Ravi/-

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