

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10234 of 2020

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1. Mina Kumari Wife of Shri Chandeshwar Thakur resident of PNB Colony, Ward No. 6, Purani Chatti, Madhubani, District- Madhubani, Pin-847211
 2. Kumari Rita Prasad Wife of Shri Mithilesh Kuma Sah resident of 117, Maharajganj, Ward No. 13, Madhubani, District- Madhubani, Pin-847211

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna
2. The Principal Secretary, Human Resources Development Department, Government of Bihar, Patna
3. The Principal Secretary, Finance Department, Government of Bihar, Patna
4. The Director (Primary Education) Human Resources Development Department, Government of Bihar, Patna
5. The District Education Establishment Committee, Madhubani, through its Chairman-cum-District Magistrate, Madhubani
6. The District Magistrate, Madhubani
7. The District Education Officer, Madhubani
8. The District Programme Officer, Establishment in the office of the District Education Officer, Madhubani

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Navendu Kumar
For the Respondent/s : Mr.Lalit Kishore (AG)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-03-2021 The present writ has been filed seeking the following reliefs:-

“(i) To direct the respondent authorities concerned to promote the petitioners in the graduate arts level in the pay scale of Rs. 9300-34800 (grade pay 4600), with effect from 28.06.2012 and in the pay-scale of Rs. 9300-34800 with Grade Pay of Rs. 5400/- with effect from the date when their immediate juniors were given promotion



in those of pay-scales with all consequential benefits including difference of salary and to pay actual monetary benefit with statutory interest.”

The learned counsel for the petitioners has submitted that the case of the petitioners is squarely covered by orders dated 19.08.2019 and 09.09.2019 passed in CWJC No. 16573 of 2019 and CWJC No. 10208 of 2018, respectively. It is further submitted that despite representation made before the District Education Officer, Madhepura, the petitioners have not been granted promotion with effect from the date their immediate juniors have been granted promotion in the pay-scale of Rs. 9300-34800/-. The learned counsel for the petitioners submits that the petitioners would be making fresh representation before the District Education Officer, Madhubani and he be directed to dispose off their representation by granting promotion with effect from the day their immediate juniors have been granted promotion.

Ms. Shilpa Singh, assisted by Ms. Abhanjalli, has got no objection.

Having regard to the facts and circumstances of the case, the present petition stands disposed off with liberty to the petitioners to approach the District Education Officer, Madhubani by filing appropriate representation and in case a



representation is filed by the petitioners within a period of two weeks from today, the same shall be disposed off in accordance with law, considering the aforesaid judgments rendered by a coordinate Bench of this Court, within a period of six weeks thereafter and in case it found that the petitioners are eligible to be promoted from the day, their juniors have been promoted, appropriate directions shall be issued as well as the consequential benefits would be granted forthwith to the petitioners.

(Mohit Kumar Shah, J)

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