

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8190 of 2018

Vinayak Kumar Singh Son of Sri Baijnath Singh, Resident of Village-Berai, Post Office-Bajpatti, Police Station-Sarai, District-Vaishali Bihar Presently Posted as Assistant Teacher, Rajkiya Adarsh Middle School, Sarai, Vaishali, Block Bhagwanpur, District-Vaishali.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Department of Education, Bihar, Patna.
3. The Director, Primary Education, Bihar, Patna.
4. The District Education Officer-Cum-Chair Person, District Elementary Teacher Promotion Committee, V
5. The District Programme Officer, Establishment, District-Vaishali.
6. The Block Education Officer, Bhagwanpur, District-Vaishali.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar, Adv.
For the Respondent/s : Mr. Madanjeet Kumar -Gp20

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

2 22-08-2022 Heard the parties.

Admittedly, the petitioner does not have a right of promotion. He is by way of this petition seeking to direct the respondents to promote him on the post of headmaster. The only right available to him is for consideration of promotion. As and when the exercise for promotion is conducted, it is expected from the respondents to consider the case of the petitioner as admittedly he possesses the minimum requisite qualification. The respondents have admitted the petitioner of having the



requisite qualification but have also expressed their inability to make promotion on account of roster clearance.

Keeping in view above, this court can only observe that if any exercise is conducted by the respondents, the petitioner's case too shall be considered.

The writ petition is accordingly disposed of.

(Sanjeev Prakash Sharma, J)

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