

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12253 of 2018

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Pawan Kumar Son of Ram Binod Prasad Yadav, Resident of Village-
Sonamanitol, P.O.- Bachopatti Narha, P.S.- Bajpatti, District- Sitamarhi,
Presently working as Assistant Teacher, Middle School, Pachra Nimahi,
Anchal- Bajpatti, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Education Department, Government of Bihar, Patna.
4. The District Education Officer, Sitamarhi, District- Sitamarhi.
5. The District Programme Officer Establishment, Sitamarhi, District- Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Adv.
For the Respondent/s : Mr. Subhash Chandra Mishra- SC16

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CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA
ORAL ORDER

2 30-08-2022 The petitioner by way of this writ petition prays for
following relief:-

1. For issuance of an appropriate writ in the nature of certiorari for quashing the office order dated 11.02.2017 issued under the signature of the Respondent no.5 contained in his memo no.366 dated 11.02.2017, whereby and where under the Respondent no.5 has been pleased to cancel the promotion of the petitioner to the post of Arts Trained Graduate Teacher on the ground that the petitioner is a Physical teacher notwithstanding the fact that after his appointment, the petitioner went in service training Sessions 1999-2000 in



Women Primary Teachers Training College, Dumra and he was declared successful in the examination conducted by the B.S.E.B. in 2008.

(II) For issuance of an appropriate writ in the nature of mandamus commanding the promotion of the petitioner to the post of Arts Trained Graduate Teacher, which was granted to the petitioner vide memo no.359 dated 10.02.2017.

Considering it that this matter is covered by the judgment, dated 23.02.2022 passed in C.W.J.C. No. 5489 of 2020 (Suresh Ram Vrs. The State of Bihar & Ors.) and connected matters reported in 2022(2) B.L.J., 381 and the judgment dated 07.03.2022, passed in C.W.J.C. No.34 of 2022 (Minakshi @ Sushre Minakshi & Ars. Vrs. The State of Bihar & Ors), this writ petition is dismissed with the aforesaid terms.

If an appeal is preferred before the District Appellate Authority/State Appellate Authority the same shall be taken up at the earliest and preferably decided within a period of six months.

(Sanjeev Prakash Sharma, J)

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