

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7160 of 2015

Chandeshwari Prasad Yadav, S/o Late Gageshwar Mandal, Resident of
Village - Khazoori, P.O. - Khaori, P.S. - Sorbazar, Via - Mithai, District -
Saharsa.

... .. Petitioner

Versus

1. The State of Bihar.
2. Director, Primary Education, Bihar, Patna, New Secretariat, Patna.
3. Regional Deputy Director of Education, Koshi Division, Saharsa.
4. Collector, Saharsa.
5. District Education Officer, Saharsa.
6. District Programme Officer, Saharsa.

... .. Respondents

Appearance :

For the Petitioner : Ms. Mallika Mazumdar, Adv.
For the State : Mr. Ram Vinay Prasad Singh, AC to GA-12

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 07-12-2022 Heard learned counsel for the Petitioner and Learned
counsel for the State.

The petitioner's claim in the instant writ proceedings is for grant of the trained graduate scale as well as promotion to the post of headmaster. It is submitted that juniors to the petitioner namely one Kameshwar Prasad Singh, at serial No. 362 of gradation list of 1994 have been allowed the benefit. It is submitted that under similar circumstances, considering grant of benefit of graduate trained scale and Head Master to juniors, this Court in the case *Swarnlata Sinha vs. the State of Bihar & Ors.*, in C.W.J.C. No. 3456 of 2007 directed for consideration



of the claim of the petitioner. The same grant of benefit to the said Swarnlata Sinha under a decision dated 07.09.2013 of the District Programme Officer, copy of which is being handed over to the State counsel as well as the Court. The same be retained in the file. The petitioner's claim is also entitled to be considered since, juniors namely Kamkeshwar Prasad Singh have been allowed the promotion. The petitioner's submission is also with reference to Clause 4.C (1) of the State Litigation Policy, 2011 thereafter regarding covered matters.

The petitioner is, therefore, may approach the Respondent No. 6 by a representation giving details of her claim. If the representation is filed within four weeks', Respondent No.6 would be obliged to pass a reasoned and speaking order, within eight weeks, thereafter.

Writ petition is disposed of.

(Madhuresh Prasad, J)

Raj kishore/-

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