

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10803 of 2021

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1. Ashok Kumar Singh S/o Late Sawaliya Bihari Singh Village- Amdarli, P.s.- Ekma, District- Saran
 2. Dinesh Dubey S/o Late Ramsihasan Dubey Village- Dhanauti, P.s.- Ekma, District- saran

... .. Petitioner/s

Versus

1. The State of Bihar Department of Education, Government of Bihar, Patna
2. The Director, Secondary Education, Government of Bihar, Patna
3. The Regional Deputy Director of Education Saran Division, Chapra
4. The District Education Officer, Saran at Chapra
5. The District Programme Officer (Establishment) Saran at Chapra

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar
For the Respondent/s : Mr.Lalit Kishore (Ag)

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 05-01-2022

The matter is heard via video conferencing due to circumstances prevailing on account of the COVID-19 pandemic.

2. State counsel accept notice for respondents.

3. In the instant petition, petitioners have prayed for following reliefs:

“1. That this is an application for issuance of Writ in the nature of Mandamus directing and commanding the Respondent authorities to promote the petitioners on the vacant post of clerk which has been done in the case of the persons similarly situated and junior to the petitioners and/or issuance of any other writ/writs, order/orders, direction/directions which seemed just and equitable in the facts and circumstances stated hereunder.”



4. Short question for consideration in the present case is whether petitioners are entitled to be promoted to the post of clerk or not? Petitioners stated in the present petition that juniors to them have been promoted to the post of clerk whereas their names have been ignored.

5. Therefore, the concerned promoting authority-respondent is hereby directed to redress the grievance of the petitioners stated in their representation read with the pleadings in the present petition and proceed to pass speaking order as to whether petitioners are entitled to be promoted to the post of clerk or not. If they are entitled to be promoted to the aforesaid post, in that event promotion order shall be issued by giving effect from the date of junior’s promotion as clerk. The above exercise shall be completed within a period of one month from the date of receipt of this order. Petitioners shall be extended monetary benefits by maintaining seniority.

6. With the aforesaid observations, the instant petition stands disposed of.

(P. B. Bajanthri, J)

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Uploading Date	
Transmission Date	

