

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7906 of 2015

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Md. Shakur Mian Son of Late Md. Gani Mian, Resident of village- Mill Bahuari, Ward No. 23 Nagar Panchayat, Ram Nagar, P.O. and P.S. Ram Nagar, District- West Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Director, Primary Education Cum- Joint Secretary, Govt. of Bihar, Patna.
3. The Joint Secretary, Finance Department, Government of Bihar, Patna.
4. The Deputy Secretary, Finance Department, Government of Bihar, Patna.
5. The District Magistrate-cum- Chairman, The District Education Primary Establishment Committee, Wes
6. The District Education Officer, West Champaran at Bettiah.
7. The District Programme Officer, West Champaran at Bettiah.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar
For the Respondent/s : Mr. Ramadhar Singh, GP 25

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 23-01-2023 Mr. Rajesh Kumar, learned counsel for the petitioner submits that the petitioner was appointed in the year 1966 as Primary Teacher in Primary School, Dharpatia of Madhubani Block, erstwhile District Champaran, which was subsequently bifurcated into East Champaran and West Champaran in the year 1972.

The petitioner alongwith others was granted time bound promotion w.e.f. 1991 which was canceled in the year 1996. Altogether, time bound promotion granted to 80 teachers



was cancelled and out of them 55 approached this Court in bunch of writ petition bearing CWJC No. 6481 of 1997 with analogous cases which was disposed by order dated 25.07.2014, directing the District Education Establishment Committee to take a final decision on the representation of the petitioners.

Learned counsel submits that pursuant to the order of this Court the District Education Establishment Committee decided the claim of similarly situated persons and *vide* order dated 07.01.2015 (Annexure-7) restored the time bound promotion granted to the similarly situated primary teachers.

The petitioner has also filed his representation which is at Annexure-8. The prayer of the petitioner is that the District Education Officer be directed to dispose the representation of the petitioner in the light of order dated 07.01.2015 passed by him.

On the other hand, the learned counsel for the State submits that this Court directed the District Education Establishment Committee to consider the cases of those petitioners who had approached this Court and the petitioner was not one of the writ petitioners.

I have heard learned counsel for the parties. The State of Bihar framed State Litigation Policy, 2011 and Clause 4 C of



the same deals with the covered matters and states that each Government department will aim to consider and settle the claim of the representationist/applicant employee/citizen, if the claim is found covered by any decision of the Court.

In view of the litigation policy and the fact that the claim of the similarly situated persons have been considered by the District Education Officer, West Champaran who restored the time bound promotion to them by its order dated 07.01.2015, accordingly, I direct the District Education Officer, West Champaran, Bettiah to consider the representation of the petitioner at Annexure-8 in this regard and pass a reasoned order in the light of the order of the Hon'ble High Court dated 25.07.2014 and order dated 07.01.2015 passed by the District Education Officer.

The representation of the petitioner must be disposed within a period of three months from the date of receipt/production of the copy of this order.

(Anil Kumar Sinha, J)

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