

Rajan Ranjan son of Late Ganga Prasad Yadav, Resident of Village-
Durdihi, P.O.- Parsawan, P.S.- Ramgarh Chowk, District- Lakhisarai.

Versus

1. The State Of Bihar through the Principal Secretary, Human Resources Development Department, Vikash Bhawan, Bailey Road, Patna.
2. Director, Primary Education, Vikash Bhawan, Patna.
3. District Program Officer, Establishment, Education Department, Lakhisarai.
4. District Magistrate, Lakhisarai.

... .. Respondent/s

For the Petitioner/s : Mr.Ajay Kumar Gautam, Advocate
For the Respondent/s: Mr.Ram Balak Mahto-AG

ORAL ORDER

3 04-07-2024 1. Heard learned counsel for the parties concerned.

2. The petitioner has filed the present writ application for a direction to the respondent- authorities to grant promotion to the petitioner in the pay-scale of Graduate Trained Teacher and thereafter, in the scale of Headmaster.

3. Learned counsel for the State submits that keeping in view the order passed by this Hon'ble Court in C.W.J.C. No. 15610 of 2018 (Raghvendra Sharma & others v. The State of Bihar & others), it is decided to grant promotion in the graduate trained pay-scale from the due date i.e. after completion of 08



years of graduate trained pay scale and subsequently, in the scale of Headmaster from the due date. The petitioner along with 132 teachers from that District have been granted promotion vide letter no. 809 dated 12.03.2024, issued by respondent no. 3 in graduate trained pay scale and in the scale of Headmaster as per Bihar Nationalized Elementary Teacher Promotion Rule, 1993 and Promotion Rule, 2011.

4. Learned counsel for the petitioner, by way of reply, submits that consequential monetary benefits have not been given to the petitioner from the due date, pursuant to the promotion granted to the petitioner.

5. I have heard learned counsel for the parties. From perusal of the order granting promotion dated 12.03.2024, it appears that the petitioner has been granted promotion in graduate trained scale and the scale of Headmaster with the retrospective effect i.e. 06.10.2012 and 31.12.2011, respectively. The order of promotion further indicates that the notional promotion has been granted to the petitioner and others with retrospective effect and actual benefit shall be given from the date of joining of the petitioner and others. Therefore, in my opinion, there is no infirmity in granting notional promotion to the petitioner with retrospective effect and actual benefit from



the date of joining.

6. Accordingly, the present writ application stands dismissed.

(Anil Kumar Sinha, J)

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