

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4267 of 2019

Mithilesh Kumar Son of Vishundeo Yadav, Resident of Village- Narayanpur, nagarpara Uttar, P.O.- Narayanpur, P.S.- Bihpur, District- Bhagalpur, presently posted as Assistant Teacher in M.S. Mandal Tola, Chakrami, Narayanpur, P.S.- Bihpur, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Secretary, Education Department, Government of Bihar, Patna.
4. The Director, Primary Education Department, Government of Bihar, Patna.
5. The Regional Deputy Director of Education, Bhagalpur.
6. The District Education Officer, Bhagalpur.
7. The District Programme Officer (Establishment), Bhagalpur.
8. The Promotion Committee through Chairman The District Education Officer, Bhagalpur.

... .. Respondents.

Appearance :

For the Petitioner/s : Mr. Jagjit Roshan, Advocate
For the Respondent/s : Mr. Kameshwar Kumar, GP-17

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

11 29-04-2024 Heard learned counsel for the petitioner and

learned counsel for the State.

2. After some arguments, learned counsel for the petitioner submits that the case of the petitioner is squarely covered by the judgment dated 22.08.2019 of the Full Bench in C.W.J.C. No. 11255 of 2016 and C.W.J.C. No.3828 of 2015.

3. Learned counsel for the State accedes to the aforesaid submission.



4. Needless to state that the Bihar Litigation Policy, 2011 clearly states that the State would follow the decision in similar circumstances and would not precipitate the litigation unnecessarily to burden the litigants. This Court is everyday facing these types of cases in which similarly situated persons can be granted benefit without any delay.

5. In such view of the matter, I have no option but to direct the petitioner to file a detailed representation before the District Programme Officer (Establishment), Bhagalpur (respondent no.7) along with all supporting judgments and documents within a period of four weeks and the respondent no.7 is well advised to consider the case of the petitioner after affording opportunity of personal hearing or through his counsel and pass a reasoned and speaking order in accordance with law within ten weeks thereafter.

8. It is made clear that respondent no.7 shall be held responsible for non-compliance of this order within the stipulated period.

9. It is made clear that this Court has not expressed any opinion with regard to the merits of the claim of the petitioner.



10. With the aforesaid observation and direction,
this writ application stands disposed of.

(Anjani Kumar Sharan, J)

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