

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5141 of 2022

1. Birendra Kumar Son of Ram Pukar Ram Masta Resident of Village Mela Road Bhavdevpur, Ward No.21 P.S. Sitamarhi, District- Sitamarhi.
2. Deepak Kumar Son of Suryadeo Singh Resident of Bhisra No.09 Near DAV, Dumra, P.S. Dumra District Sitamarhi.
3. Shobha Kumari Daughter of Bharat Prasad Yadav Resident of Village- Dumra Ward No.6 P.S.- Dumra District- Sitamarhi.
4. Archana Yadav Son of Nagendra Prasad Resident of Village and P.O.- Chakmahila, District Sitamarhi.
5. Ram Vinay Ray Son of Brij Nandan Ray Resident of Village Bariyarpur Ward No.1 District Sitamarhi.
6. Krishan Murari Jha Son of Mahendra Jha Resident of Village and P.O.- Barharwa, Block- Suppi, P.S.- Mejorganj, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Principal Secretary, Department of Finance, Government of Bihar, Patna.
4. The Director, Primary Education, Government of Bihar, Patna.
5. The District Education Officer, Sitamarhi.
6. The District Programme Officer (Establishment), Sitamarhi.

... .. Respondent/s

Appearance :

For the Petitioners	:	Mr. Pramod Kumar, Advocate
For the State	:	Mr. Ram Vinay Pd. Singh, AC to GA-12

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 13-11-2024 Heard learned counsels for the parties.

2. This writ application has been filed for commanding the respondent-Authorities to grant first Time Bound Promotion/Senior Pay Scale to the petitioners with effect from the date they became entitle after completion of twelve



years of service.

3. At the outset, learned counsel appearing on behalf of the petitioners submits that case of the petitioners is fully covered by judgments of this Hon'ble Court passed in ***C.W.J.C. No. 6139 of 2007*** dated 31.03.2011 and ***L.P.A. No. 756 of 2015*** dated 16.08.2017. It is further submitted that in terms of the aforesaid judgments, petitioners are also entitled to get for first time bound promotion with effect from the date they completed 12 years of service.

4. Learned counsel appearing on behalf of the State is not in a position to dispute the contentions raised on behalf of the petitioners.

5. In view of the aforesaid facts and circumstances of the case, this writ application is disposed of with a direction to the petitioners to file fresh representation before the District Programme Officer (Establishment), Sitamarhi (Respondent No. 6) along with all the necessary documents and details in support of their claim within a period of six weeks from today.

6. In the event the petitioners file their representation within the stipulated period, the District Programme Officer (Establishment), Sitamarhi (Respondent No. 6) shall examine the case of the petitioner in accordance with law and in light of



the orders dated 31.03.2011 and 16.08.2017 passed by this Hon'ble Court in ***C.W.J.C. No. 6139 of 2007*** and ***L.P.A. No. 756 of 2015*** and dispose of the representation of the petitioners, after hearing the parties, by a reasoned and speaking order, preferably within a period of ten weeks from the date of filing of the representation. If the claim of the petitioners is found genuine, all the admissible dues must be extended to the petitioners within a period of six months thereafter.

(Prabhat Kumar Singh, J)

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