

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6274 of 2016

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Santosh Vijay S/o Saryu Kumar Verma, Resident of At P.O- Bara, P.S. Prakhand- Ben, District- Nalanda Biharsarif.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, Primary Education, Govt. of Bihar, Patna.
4. The Regional Deputy Director of Education, Patna.
5. The District Education Officer, Nalanda Biharsharif.
6. The District Programme Officer Establishment, Nalanda, Biharsharif.
7. The member of the teacher Promotion Committee, Senior Deputy Collector, Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rama Kant Singh
For the Respondent/s : Mr. Ramadhar Singh, GP-25

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 11 12-08-2024 1. Learned counsel for the petitioner submits that the petitioner is entitled for grant of B. Sc. Graduate Trained Scale (Science) w.e.f. 29.11.2012, i.e. the date from when the juniors of the petitioner were granted promotion.
2. Learned counsel for the petitioner submit that the petitioner was granted Matric Trained Scale w.e.f. 01.10.2003 and was entitled to be given Graduate Trained Scale w.e.f. 29.11.2012. However, the petitioner has been given Graduate Trained Scale w.e.f. 09.08.2018. He further submits that the petitioner is also entitled to be



promoted as Headmaster as his juniors have already been promoted.

3. Learned counsel for the State submits that the counter affidavit has been filed, stating therein, that the petitioner has been granted Matric Trained Scale w.e.f. 01.10.2003 and B.Sc. Graduate Trained Scale w.e.f. 09.08.2018. However, further instruction is required in the matter in order to explain the reasons for not granting the petitioner B. Sc. Graduate Trained Scale w.e.f. 29.11.2012.
4. Having heard learned counsel for the parties and taking into consideration the nature of prayer made in the writ application, this writ application is disposed with liberty to the petitioner to file representation before the District Programme Officer (Establishment), Nalanda, Biharsharif, for redressal of his grievance.
5. If the representation is filed by the petitioner, the District Programme Officer (Establishment), Nalanda, Biharsharif, shall dispose the same in accordance with law and by a reasoned order after giving opportunity of hearing to the petitioner within a period of three months from the date of filing of the representation.
6. It is made clear that if the petitioner is found entitled for



the promotion with retrospective effect, the consequential benefits shall be given to the petitioner within a period of one month from the date of disposal of the representation.

7. With the aforesaid observations and directions, this writ application is disposed.

(Anil Kumar Sinha, J)

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