

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8816 of 2016

Prabhash Kumar Shrivastava Son of Late Jata Shankar Prasad Resident of
Mohalla - Chandmari Near Anand Marg School Road Durga Mandir, Police
Station Town Motihari, District - East Champaran

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.
2. The Director (Research and Training) Department of Human Resources Development, Govt. of Bihar, Patna.
3. The Secretary General, Association of Indian Universities, A.I.U. House No. 16, Kamred Indrajeet Gupta Marg (Kotla Marg), New Delhi.
4. The Director, National Council of Teacher Education, Eastern Regional Committee, 15 Nilkanth Nagar, Naya Pali, Bhubneshwar-751012 (Orissa).
5. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
6. Joint Secretary, Education Department, Govt. of Bihar, Patna.
7. The District Magistrate, East Champaran at Motihari.
8. The District Education officer, District East Champaran at Motihari.
9. The District Programme officer Establishment, District East Champaran at Motihari.
10. The Block Development officer, Block Office, Turkauliya, District East Champaran.
11. The Block Education officer, Block office, Turkauliya, District East Champaran.

... Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Anil Kumar, Advocate
For the Respondent/s	:	Mr. Sitaram Yadav, GP 16
	:	Mr. Yatindra Narayan, AC to GP 16
For NCTE	:	Mr. Sunil Kr. Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

8 08-08-2024 1. Heard learned counsel for the parties concerned.

 2. The present writ application has been filed for a

direction to the respondents to consider the case of the petitioner



for grant of first time bound promotion w.e.f. 20.10.2006 as well as to fix graduate trained pay scale from 20.10.2002 after completion of 08 years of service.

3. Learned counsel for the State, by referring to the supplementary counter affidavit, submits that in view of the notification dated 05.09.2023 for grant of ad-hoc promotion, the petitioner has been promoted on ad-hoc basis as graduate trained teacher vide Memo no. 5335 dated 12.12.2023.

4. Having heard learned counsel for the parties and taking into consideration the fact that since the petitioner has been granted the graduate trained scale w.e.f. 18.12.2023, I deem it fit and appropriate to grant liberty to the petitioner to file representation before the District Education Officer, East Champaran at Motihari claiming first time bound promotion and graduate trained scale with retrospective date i.e. the date, from which, the juniors to the petitioner were promoted.

5. If such a representation is filed by the petitioner within a period of four weeks from today, the District Education Officer, East Champaran at Motihari shall be obliged to dispose the representation of the petitioner, in accordance with law and shall pass a reasoned and a speaking order, within a period of three months from the date of receipt of the representation.



6. With the aforesaid observations and directions,
the present writ application is disposed off.

(Anil Kumar Sinha, J)

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