

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16759 of 2024

1. Yogesh Kumar Mandal S/o Late Wakil Mandal, Resident of - Maa Tara Colony, Choti Hasanganj, P.O.-Mirjanhat, P.S.-Mohidpur, Town and District-Bhagalpur, presently posted as Assistant Teacher, Upgraded Middle School, Kaitha, P.S.-Rajoun, District-Banka.
2. Rakesh Kumar, S/o Late Janardan Prasad Singh, Resident of - Bhusia, P.O.-Rajoun, P.S.-Rajoun, Town and District-Banka, presently posted as Upgraded Middle School, Faizpur, P.S.-Rajoun, District-Banka.
3. Rajiv Ranjan, S/o Late Ram Bihari Prasad Singh, R/o P.O. and P.S.-Rajoun, District-Banka, presently posted in Upgraded Middle School, Kathon, P.S.-Rajoun, District-Banka.
4. Niranjana Kumar Ranjan, S/o Late Arjun Paswan, R/o-Kathoun, P.O.-Kathoun, P.S.-Rajoun, District-Banka, presently posted at Upgraded Middle School, Mohna, P.S.-Rajoun, District-Banka.
5. Raj Kumar, S/o Late Ram Chandra Roy, R/o-Asmanichak, P.O.-Bamdeo, P.S.-Rajoun, District-Banka, presently posted in Upgraded Middle School, Nima, P.S.-Rajoun, District-Banka.
6. Purushottam Kumar, S/o Tribhuwan Prasad Singh, R/o-Nawada Bazar, P.O.-Nawada Bazar, P.S.-Rajoun, District-Banka, presently posted in Upgraded Middle School, Goradih, P.S.-Rajoun, District-Banka.
7. Shambhu Nath Bharti, S/o Babu Lal Das, R/o-At and P.O.-Lakra, P.S.-Rajaun, District-Banka, presently posted in Upgraded Middle School, Mahda, P.S.-Rajaun, District-Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Deptt of Education, Govt.of Bihar, Patna.
2. The Director, Primary Education Department, Govt.of Bihar, Patna.
3. The Regional Deputy Director of Education, Bhagalpur.
4. The District Education Officer, Banka.
5. The District Program Officer (Establishment), Banka.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. P.K.Jha, A.K.Jha, R.N. Jha and Mr.Bishwash Vijeta, Advocates
For the State	:	None.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-11-2024

Heard learned counsel for the petitioners. Nobody



appears for the State.

2. Writ petition has been filed for a direction to the respondents no. 4 & 5 to grant promotion to the petitioners on the post of Headmaster with all consequential benefits.

3. Learned counsel for the petitioners submits that several similarly situated teachers have been granted promotion in the District of Banka by the Respondent No. 4 and 5 vide Memo No. 2747 dated 07.10.2024, taking into account the order of this Court dated 26.09.2024 in CWJC No. 14845 of 2024 (Shyamanand Singh & Ors Vs The State of Bihar & Ors). Petitioners case is covered by said order of this Court, as such, present writ petition may also be disposed of in terms of said order. It is further submitted that petitioners have filed joint representation dated 15.10.2024 for grant of the relief(s) before respondents no. 4 & 5 which has not been disposed of till date which itself is violative of Clause 4 (C)(1) of Bihar State Litigation Policy, 2011.

4. In view of nature of prayer made by learned counsel for these petitioners, let these petitioners file a detailed representation before respondents no. 4 and 5 raising the points available with them in support of their claim within a period of three weeks from today.

5. In the event, such representation is filed, respondents no.4 and 5 shall examine claim of these petitioners and dispose of the same by a reasoned and speaking order in accordance with law after hearing the parties, within a period of four months thereafter.

6. It is made clear that if representation of the petitioners is not disposed of in accordance with law within the said stipulated time frame, respondents no. 4 and 5 shall be



liable for non-compliance of the order of this Court.

7. Writ petition stands disposed of with the aforesaid directions.

(Prabhat Kumar Singh, J)

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