

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12499 of 2017

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Gauri Shankar Yadav S/o Shri Paltan Yadav R/o Village- Madhuban, P.O.-
Dinmo, P.S.- Kusheshwar Asthan, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Education Department,
Bihar, Patna.
2. The District Education Officer, Darbhanga.
3. The Block Education Officer , KusheshwarAsthan, Darbhanga.
4. The In-Charge Headmaster, Primary School Bhainthalslampur,
KusheshwarAsthan, Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Baidya Nath Thakur, Adv.
For the Respondent/s : Mr. Prabhakar Jha-Gp27

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

3 30-10-2025 Heard learned counsel for the petitioner and learned
counsel appearing for the respondents-State.

2. In the present writ application the petitioner has
prayed for the grant of following relief:

*“(i) For direction upon the District
Education Officer, Darbhanga (R.2) to grant
promotion to the petitioner on the post of
graduate grade with effect from 20.02.2015 as
he has completed 8 years of satisfactory service
in Basic Grade of Panchayat Teacher in
primary school, Maintha, Islampur in the
district of Darbhanga on that date.*

*(ii) For direction upon the
respondent 2 to give promotion to the eligible
senior-most teachers on the post of Headmaster*



in primary school, Mainthalslampur in the district of Darbhanga.

Further, any other order(s) may be passed, direction(s) given or relief(s) granted which the petitioner is entitled to in the facts and circumstances.”

3. Learned counsel for the petitioner submits that for seeking the relief as claimed in the present writ application, the petitioner is prepared to file a representation before the District Education Officer, Darbhanga (respondent no.2) within two months and an appropriate direction be issued to the District Education Officer, Darbhanga that in case such a representation is filed, the District Education Officer, Darbhanga will consider the same and decide on merit after giving an opportunity of hearing to the petitioner.

4. To this prayer being made by learned counsel for the petitioner, learned counsel appearing for respondents-State does not have any objection.

5. Considering the limited nature of prayer being made by learned counsel for the petitioner, the present writ application is disposed of granting liberty to the petitioner to file a detailed representation before the District Education Officer, Darbhanga within two months from the date of passing of this order and if such a representation is filed the same shall be



disposed of on merit after giving an opportunity of hearing to the petitioner, by passing a reasoned and speaking order. The entire exercise must be completed by the District Education Officer, Darbhanga within a period of three months from the date of filing of the representation.

6. With the aforesaid observation and direction and liberty granted to the petitioner, the present writ application stands disposed of. Pending I.As, if any will be deemed to have been disposed of.

(Alok Kumar Sinha, J)

Prakash Narayan

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