

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15164 of 2017

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Dayamanti Kumari Wife of Late Kamla Prasad, resident of Karari P.S.
Harnaut, District Nalanda at present resident of Kalyanpur, Station Road,
Biharsharif, Nalanda.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The Secretary, Education Department Govt. of Bihar, Patna.
3. The District Education Officer, Nalanda.
4. The Block Education Officer, Biharsharif, District Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar, Adv
For the Respondent/s : Mrs. Abhanjali, AC to GA XII

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

4 05-01-2026 Heard learned counsel for the petitioner and learned
counsel for the respondent-State.

2. With the consent of both the parties, this writ
application is being disposed of at this stage itself.

3. In the present writ application, the petitioner has
prayed for the grant of following reliefs:

*(i) For issuance of an appropriate
writ in the nature of MANDAMUS
Commanding and directing the respondent
authority to promote the petitioner in B.A.
Trained pay scale as she had already got
Sahitya Alankar degree which is equivalent
to graduation and further to pay entire
consequential benefit.*



(ii) For issuance of an appropriate writ in the nature of MANDAMUS Commanding and directing the respondent authority to give benefit of 2nd A.C.P. from the date when she has completed 20 years of service.

(iii) Further for issuance of an appropriate writ in nature the of MANDAMUS commanding and directing the respondent authority to Promote the petitioner to the post of Headmaster as petitioner has already qualified/got Education of M.A. decree from Nalanda open University and further pay the entire consequential benefit.

(iv) Further for direction to the respondent authority to pay the BA. Trained pay scale as well as pay scale of Headmaster from the date when petitioner has got B.A. and M.A. degree after getting due permission of her superior authority.

(v) Further for issuance of any other writ /writs order/ orders, direction/directions shall be found for which petitioners entitled under the facts and circumstances of the case.

4. After advancing some argument, learned counsel for the petitioner submits that for the reliefs claimed for in the



present writ application, the petitioner is prepared to file a detailed representation before the District Education Officer, Nalanda within one month from today. Learned counsel for the petitioner further prays that if such a representation is filed within the stipulated time then the District Education Officer, Nalanda may be directed to dispose of the representation filed by the petitioner on merit within a fixed time frame, after giving an opportunity of hearing to the petitioner.

5. To the aforesaid prayer being made by learned counsel for the petitioner, learned counsel appearing for respondent-State does not have any objection.

6. Considering the limited nature of prayer being made by learned counsel for the petitioner, this writ application is disposed of granting liberty to the petitioner to file a detailed representation before the District Education Officer, Nalanda within one month from today and if such a representation is filed within the stipulated time then the District Education Officer, Nalanda is directed to dispose of the same on merit within a further period of six months after giving an opportunity of hearing to the petitioner. Needless to emphasize that the final order which shall be passed by the District Education Officer, Nalanda should be a reasoned and speaking order. It is made



clear that in case, the petitioner is found entitled to the relief which the petitioner would be claiming through the representation, the same should be extended to the petitioner within a further period of four months from the date of passing of the final order.

7. With the aforesaid observation/direction and liberty granted, this writ application is disposed of. All pending interlocutory application(s), if any, shall also be deemed to have been disposed of.

(Alok Kumar Sinha, J)

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