

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11243 of 2015

Diwakar Prasad Singh son of late Govind Prasad Singh, resident of village and P.O. Sisayee, Police Station- Goreyakothi, District- Siwan, retired while working as assistant teacher Incharge Head Teacher from Govt. Kanya Primary School Madhopur, Anchal Maharajganj, District- Siwan.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director, Primary Education, Bihar, Patna.
3. The District Magistrate, Siwan.
4. The District Education Officer, Siwan.
5. The District Programme Officer Establishment, Siwan.
6. The District Treasury Officer, Siwan.
7. The District Accounts Officer, Siwan.
8. The Block Education Officer, Maharajganj, District Siwan.
9. The Headmaster cum Drawing and Disbursing Officer, Govt. Kanya Primary School Madhopur, Anchal Maha

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra, Advocate
For the Respondent/s : Mr.Sc12-P.K.Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

8 16-01-2026 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the respondent-State.

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

3. The petitioner has prayed for grant of following
relief :-

*“1. (i) For issuance of appropriate
writ in the nature of mandamus for commanding
and directing the respondent authorities
concerned to provide the benefits of second time
bound promotion and its differences of monetary*



benefits to the petitioner as several similarly situated teachers have been given second time bound promotion after completion of 25 years of service with all monetary benefits whereas the petitioner has been denied till date.

(ii) For issuance of an appropriate writ in the nature of mandamus for commanding and directing the respondent authorities concerned to provide the benefit of second time bound promotion to the petitioner since due date in accordance with policy decision of the State Government as he has retired from service, but till date the benefit of second time bound promotion has not been provided to the petitioner, whereas similarly situated employees of the State Govt. have been given the benefit of second time bound promotion.

(iii) For issuance of an appropriate writ in the nature of mandamus for commanding and directing the respondent District Education Officer, Siwan /District Programme officer (Establishment), Siwan to dispose of the representation of the petitioner dated 11.6.2015, which is being sent through registered post with his genuine grievances by a reasoned order.

(iv) For issuance of any other appropriate writ/writs. order/orders, direction/directions for which the writ petitioner will be found entitled in the facts and circumstances of the case.

4. After advancing some argument, learned counsel for the petitioner submits that for the aforesaid relief claimed in the present writ application, the petitioner has already filed a representation before the District Programme Officer (Establishment) Siwan way back on 08.06.2015 (Annexure-4) but till date the same has not been disposed of by the District



Programme officer (Establishment), Siwan. He accordingly prays that the petitioner would be satisfied if an appropriate direction could be issued by this Court for disposing of the pending representation of the petitioner after giving an opportunity of hearing to the petitioner within a fixed time frame.

5. To the aforesaid submissions made by learned counsel for the petitioner, learned counsel appearing on behalf of the respondent-State do not have any objection.

6. Considering the limited nature of prayer being made by learned counsel for the petitioner, this writ application stands disposed of directing the District Programme Officer (Establishment), Siwan to dispose of the pending representation of the petitioner dated 08.06.2015 (Annexure-4) within a period of three months from the date of receipt / production of a copy of this order after giving an opportunity of hearing to the petitioner.

7. Needless to emphasize that the final order which shall be passed by the District Programme Officer (Establishment), Siwan should be reasoned and speaking order.

8. With the aforesaid observation/direction and liberty granted, the present writ application stands disposed of.



9. All pending I.A.s, if any, is deemed to have been disposed of.

(Alok Kumar Sinha, J)

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