

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 18144 of 2017

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Sri Niwas Singh Son of Late Ram Briksha Singh, Resident of Village and
P.O.- Manikpur, P.S. and District- Gopalganj.

... .. Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Education Department,
Bihar, Patna
2. The District Education Officer, Gopalganj.
3. The District Programme Officer (Establishment), Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bipin Bihari Singh
For the Respondent/s : Mr.S.C.Mishra -Sc16

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CORAM: HONOURABLE MR JUSTICE ALOK KUMAR SINHA

ORAL ORDER

6 06-01-2026 Heard learned counsel for the petitioner and learned
counsel appearing for the respondent-State.

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

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

***“That the present writ petition is for
setting aside the order passed by the District
Education Officer, Gopalganj refusing his
claim for promotion as Trained Graduate w e
f 01.04.1981 and as Headmaster with
01.04.1985 without considering the points of
equity urged on his behalf in addition to
contention that several persons and identical
junior were promoted and benefit extended to
them discriminating his seniority, suitability
and entitlement to respective post holding that
under promotion rule-2011, there is no***



provision regarding retrospective promotion and the further prayer relates specific direction for promotion removing the discrimination and maintaining equity with status and benefit even notionally and for the payment of interest on delayed payment after calculation of entitlement and litigating cost for unnecessary harassment and for other necessary relief/reliefs on the basis of facts and circumstances of case enumerated and stated hereinafter.”

4 After advancing some argument, learned counsel for the petitioner submits that for seeking the aforesaid relief, the petitioner is prepared to file a detailed representation before the District Education Officer, Gopalganj and the District Programme Officer (Establishment), Gopalganj within one month from the date of passing of this order and further prays that if such a representation is filed, an appropriate direction be issued to the District Education Officer, Gopalganj and the District Programme Officer (Establishment), Gopalganj to dispose of the same within a fixed period of time after giving an opportunity of hearing to the petitioner.

5 The aforesaid submission made by the learned counsel for the petitioner is not opposed by the learned counsel appearing for the respondent-State.

6 Considering the limited nature of prayer made by the learned counsel for the petitioner, this writ application is



disposed of granting liberty to the petitioner to file an appropriate representation before the District Education Officer, Gopalganj and the District Programme Officer (Establishment), Gopalganj within one month from the date of passing of this order.

7 If such a representation is filed, the same shall be considered and disposed of within a further period of six months from the date of filing the representation, after giving an opportunity of hearing to the petitioner.

8 Needless to emphasize that the final order which shall be passed by the authorities should be a reasoned and speaking order. It is further 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 three months from the date of passing of the final order.

9 With the aforesaid observation, direction and liberty granted, the writ petition stands disposed of. Pending interlocutory application, if any, also stands disposed of.

(Alok Kumar Sinha, J)

M.E.H./-

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