

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.411 of 2026

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1. Lal Baboo Ray Son of Ram Jinis Ray, Resident of Sri Krishna Bihar Colony, Bhagwanpur, Police Station- Sadar, District Muzaffarpur.
 2. Zaki Alam Son of Mansoor Alam, Resident of Ward no. 33 Zakaria Colony, Sadpura, Police Station-Mushahari, District- Muzaffarpur.
 3. Vinod Paswan Son of Baidyanath Paswan, Resident of Karja P.O- Karja Dih, P.S- Marwan, District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Education Department, Government of Bihar, Patna
3. The Director, Primary Education, Bihar, Patna
4. The Regional Deputy Director of Education, Tirhut Division, Muzaffarpur.
5. The District Education Officer, Muzaffarpur
6. The District Programme Officer (Establishment) Muzaffarpur

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Pramod Kumar, Adv.
For the Respondent/s	:	Mr.Government Pleader (12)

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 13-01-2026 Heard learned counsel for the parties.

2. The writ petition has been filed for the following reasons:-

“1. That this is an application for issuance of a Writ in the nature of mandamus commanding and directing the respondents authorities to grant and shift the date of promotion on the post of Headmaster to the petitioners with effect from 31/12/2016 pursuant to the direction of the Regional Deputy Director of Education (R.D.D.E), Tirhut Division, Muzaffarpur issued Vide an Office order contained in Memo No. 1206 dated



26/12/2020 with all consequential monetary as well as other benefits with effect from 31/12/2016 as the similar benefits have been given to the other similarly situated junior persons in terms of the similar direction of the R.D.D.E Tirhut Division, Muzaffarpur. And for which the petitioners are legally entitled to in terms of the Promotion Rule 2011.

And/or issue any other appropriate Writ/Writs, direction/directions, order/orders for which the petitioners may be found legally entitled to in the facts and circumstances stated hereunder.”

3. Counsel for the petitioners, by referring to Annexure-P/4 submits that in view of Annexure-P/6, which is said to have been passed by Regional Deputy Director of Education, Tirhut Division, Muzaffarpur in compliance of the direction issued by the Co-ordinate Bench of this Court vide order dated 10.01.2020 passed in CWJC No. 25767 of 2019, the claim of the petitioners is said to have been adjudicated but, for want of necessary guidelines from the Director, Primary Education, Education Department, the necessary orders with regard to promotion on the post of Headmaster to the petitioners with effect from 31.12.2016 pursuant to the directions issued by the Regional Deputy Director of Education as contained in Memo No. 1206 dated 26.12.2020, with all consequential monetary benefit, could not be made.

4. Learned counsel for the petitioners, at this stage,



submits that for no obvious reason, the similarly situated persons have already been extended the benefit vide Annexure-P/4, which is the office order so issued is contained in Memo No. 6489 dated 28.12.2017 and there is no mention that with respect to grant of such promotional benefits with effect from 31.12.2016, any such guidelines were sought from the Director, Primary Education.

5. Counsel for the State submits that the petitioners may be directed to file appropriate representation with regard to their entitlement, appending all necessary documents within a period of four weeks from today and, on filing of such representation, the District Education Officer, Muzaffarpur would be obliged to pass necessary orders, strictly in consonance with the decision so taken with respect to the similarly situated persons, by shifting the date of promotion from the date of their entitlement for which necessary direction are said to have been issued by the Regional Deputy Director of Education, Tirhut Division, Muzaffarpur.

6. Considering the submission of the parties, the petitioners are directed to file detailed representation within a period of four weeks from today and, on filing of such representation, the District Education Officer, Muzaffarpur shall



examine the claim of the petitioners in the light of the direction issued by the Regional Deputy Director of Education, Tirhut Division, Muzaffarpur and, on finding the claim to be justified and at par with the other similarly situated persons, necessary order, extending benefits, shall also be issued in favour of the petitioners by shifting the date of promotion to the date which is allowed in favour of the petitioners by the Regional Deputy Director of Education, Tirhut Division, Muzaffarpur.

7. All such necessary orders shall be passed within a period of eight weeks from the date of filing of the representation by the petitioners.

8. With the aforesaid observation and direction, the writ petition stands disposed of.

(Ajit Kumar, J)

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