



2026:PATHC:5072

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8769 of 2025

Sri Indradeo Prasad S/o Late Seman Singh, R/o Village Chintamanipur, P.O. Madrana, P.S. and District Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar .
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Additional Chief Secretary, Education Department, Govt. of Bihar, Patna.
4. The Director, Primary Education, Education Department, Govt. of Bihar, Patna.
5. The District Education Officer, Vaishali.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Kumar, Advocate
For the Respondent/s : Mr.Rajesh Kumar, AC to GP-3

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 19-01-2026 Heard the parties.

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

“(i) To quash the memo no.38 dated 13.01.2015 (which part relates to the petitioner) issued by the Director Primary Education whereby and whereunder the promotion of the petitioner has been cancelled. A copy of memo dated 13.01.2015 is annexed herewith and marked as Annexure-P/1 to this application.

(ii) To further quash follow up the letter No. 718 dated 09.10.2015 (which part





relates to the petitioner) issued by the director primary education whereby and whereunder direct to the respondent authority to recover the additional payment to the service benefit of the petitioner granted after retirement. A copy of letter dated 09.10.2015 is annexed herewith and marked as Annexure-P/2 to this petition.

(iii) To further direct the respondent authority grant the consequential benefit to the petitioner with her earlier promotion dated 26.02.2010.”

3. A counter affidavit has been filed on behalf of respondent No. 4 after duly filing the same through onLine mode and the hard-copy thereof has been filed before this Court, which is kept on record.

4. From perusal of Annexure-4 to the counter affidavit, it appears that reliefs prayed for in the writ petition has already been granted. The statement made in paragraph 4 of the counter is quoted hereinbelow:-

“4. That at the outset, it is humbly stated that the grievance of the petitioner has been redressed by the department, which is evident from the order contained in memo no. 696 dated 17.07.2025 whereby the cancelled promotion of the petitioner has been restored and further directed for taking





steps in giving the consequential benefit to the petitioner. The said order is being brought on record for the better appreciation of this fact.”

5. It is expected that the deponent of the counter affidavit i.e. Deputy Director, Primary Education, Department of Education, Government of Bihar, Patna will adhere to the undertaking given by him in view of the statements made in paragraphs no. 4 and 7 of the counter affidavit as well as the order contained in Memo No. 696 dated 17.07.2025 issued by the Director, Primary Education, Government of Bihar, Patna (Annexure-R/1) and necessary benefits will be accorded to the petitioner as stated in the counter affidavit.

6. Accordingly, writ petition is disposed of as infructuous.

(Ritesh Kumar, J)

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