

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12062 of 2007

S.M.Rasid Uzzaman, son of Late S. M. Sulaiman, resident of Nusarat Villa,
Gulistan Mohalla, Phulwari Sharif, Police Station – Phulwari Sharif, District - Patna
..... Petitioner/s

Versus

1. The State of Bihar
2. The Secretary, Art, Culture and Youth Department, Bihar, Patna
3. The Secretary, Finance Department, Bihar, Patna
4. The Secretary, Human Resources Department, Bihar, Patna
5. The Director cum Deputy Director General, National Cadet Corps Directorate,
Bihar and Jharkhand State Cell, Establishment Branch, Rajendra Path, Patna –
800 019
6. The Joint Director, National Cadet Corps Directorate, Bihar and Jharkhand
State Cell, Establishment Branch, Rajendra Path, Patna – 800 019

..... Respondent/s

Appearance :

For the Petitioner/s : Mr. NAVENDU KUMAR
For the Respondent/s : Mr. (SC6)

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL JUDGMENT
Date: 21-01-2015

Heard learned counsel for the parties.

Since the petitioner has not passed the departmental examination while in service nor did he seek exemption from passing of departmental examination while in service there, therefore, he cannot be given any benefit of exemption after superannuation.

In view of the same, he cannot be given the benefit of A.C.P. as well, whatever be the compelling circumstances, under which none of the above facts were overcome earlier.

Writ application is dismissed.

(Ajay Kumar Tripathi, J.)

