

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1961 of 2014

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1. Jitendra Mehta, son of Late Faujdar Mehta, resident of village- Mushhar Lochanpur, P.O. Malpur Agrail, P.S.- Sakra, District- Muzaffarpur
 2. Bindeshwar Mahto, son of late Ramroop Mahto, resident of village & P.O. Malpur Agrail, P.S.- Sakra, District- Muzaffarpur
 3. Ganesh Kumar, son of Late Amar Bahadur Thapa, resident of village- Prahladpur, Gangapur, P.O. Narsinghpour, P.S.- Mushhari, District- Muzaffarpur
 4. Shankar Paswan, son of Late Yogendra Paswan, resident of village & P.O. Kishnapur Rakba, P.S. Mithanpura, Muzaffarpur
 5. Devendra Kumar, son of Late Bhola Bhagat, resident of village- Rampur Jailpal, P.O. & P.S.- Bochha, District- Muzaffarpur
 6. Kamni Kumari, Wife of Late Ram Babu Prasad Singh, resident of village & P.O.- Kagish, P.S.- Mushhari, District- Muzaffarpur
 7. Manzoor Alam, Son of Mahboob Hassan, resident of village- Chakagmal, P.O. Mustafaganj, P.S.- Meenapur, District- Muzaffarpur
 8. Raj Kumar Ojha, Son of Late Ram Pratap Ojha, resident of village & P.O. Khabash Paschim Tola, P.S. Sadar, District- Muzaffarpur
 9. Ram Chandra Prasad Sinha, Son of Late Baidhnath Prasad Sinha, resident of village & P.O.- Bharwadi, P.s. Sakra, District- Muzaffarpur
 10. Naresh Kumar Verma, son of Sri Brijnandan Prasad, resident of New Colony, Behind Sanjay Cement, Brajpura, P.O. M.I.T., P.S. Barhanpura, District- Muzaffarpur
 11. Sri Ram Singh, son of Late Mahadeo Sharan Singh C/o Sri Ram Padarath Shahi, resident of village & P.O.- Punaure, District- Sitamarhi
 12. Narendra Kumar Sinha, Son of late Vishwanath Prasad Srivastava, Resident of Mohalla- Imli Chadhi, P.S. Barhampura, District- Muzaffarpur
 13. Sonelal Singh, Son of Late Bhukhal Singh, resident of village- Dhovgama (Chainpur), P.O. & P.S.- Pusa, District- Samastipur
 14. Basant Kumar Shukla, Son of Late Dev Narayan Shukla, resident of Mohalla- Shivpuri Lane No. 1, P.S.- Kazi Mohakpur, District- Muzaffarpur
 15. Sunil Kumar, Son of Late Devendra Prasad Sharma, resident of village & P.O.- Rampurhari, P.S. Meenapur, District- Muzaffarpur
 16. Amresh Prasad Verma, son of Late Saryug Lal, resident of village- Bhagwanpur, P.O. Muzaffarpur, District- Muzaffarpur
 17. Arun Kumar, son of Late Ramlagan Thakur, resident of village & P.O.- Karsar, P.S.- Sakra, District- Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Agriculture, Government of Bihar, Patna
2. The Principal Secretary, Department of Finance, Government of Bihar, Patna
3. The Director, Department of Agriculture, Government of Bihar, Patna
4. The Joint Director of Agriculture, Government of Bihar, Patna
5. The Deputy Director of Agriculture, Muzaffarpur

.... Respondent/s

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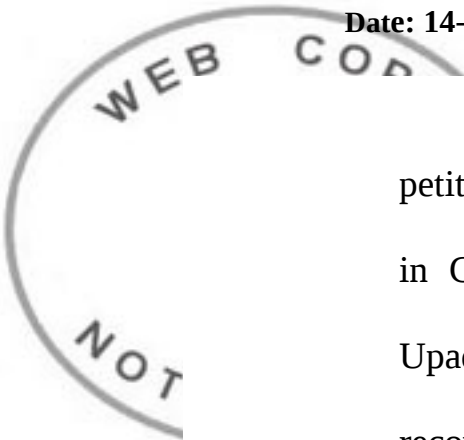
Appearance :

For the Petitioner/s : Mr. Raghwanand

For the Respondent/s : Mr. Sanjay Prasad, AC to AAG 6

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL JUDGMENT
Date: 14-10-2015



In a similar matter in a writ application filed by a bunch of petitioners, a Bench of this Court vide order dated 26.8.2010 passed in CWJC No.2541 of 2010, which is the case of Jai Prakash Upadhayay v. State of Bihar and others, set aside the order of recovery and reduction of benefit of pay scale under the ACP scheme on the ground that such orders have been passed without an opportunity of hearing and notice.

An order has been passed by the Principal Secretary, Finance in the case of those petitioners. A copy of the same has been brought on record as Annexure- D to the counter affidavit.

So the impugned orders contained in Annexures 4, 4/1 and 5, which are dated 6th of May, 2011 and 24th of September, 2014 are set aside. Let the Principal Secretary, Finance issue show causes to the petitioners and take a decision in accordance with law.

The writ application stands disposed of in terms of the above.

(Ajay Kumar Tripathi, J)

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