

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.1355 of 2014

In

Civil Writ Jurisdiction Case No. 20617 of 2013

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1. Besar Mahtha Son of Foujdari Mahtha, Resident of Village and Post office- Dhira, Police Station - Halsi, District -Lakhisarai, at present posted as Panchayat Sewak at Surajgarha, Block, District - Lakhisarai
 2. Shankar Singh Son of Guju Singh Resident of village, Jagdishpur, Post office and Police Station – Surajgarha, District- Lakhisarai, at present posted as Panchayat Sewak at Lakhisarai Block, District - Lakhisarai
 3. Ashok Kumar Son of Sadhu Saran Yadav, Resident of Village and Post - Laie (Khaira), District Lakhisarai, at present posted as Panchayat Sewak at Halsi Block, District - Lakhisarai
 4. Arun Kumar Singh Son of Hardeo Singh Resident of Village - Gasanda, Post office- Kachhiyana, police Station and District - Lakhisarai, at present posted as Panchayat Sewak at Barahiya Block, District - Lakhisarai
 5. Rajneeti Prasad Singh Son of Late Chawinath Singh Resident of Village and Post office- Patner, Police Station, Block and District - Lakhisarai, superannuated from the post of Panchayat Secretary at Halsi Block, District - Lakhisarai
 6. Shiv Sarnagat Singh Son of Late Janki Singh Resident of Village and Post office- Pawaie, Police Station- Surajgarha, District - Lakhisarai superannuated from the post of Panchayat Secretary at Surajgarha Block, District - Lakhisarai.
 7. Krishnandan Ram Son of Mishri Ram Resident of Village - Manpur, Post office and Police Station -Birpur (Barahiya), District -Lakhisarai, at present posted as Panchayat Sewak at Surajgarha Block, District - Lakhisarai
 8. Gopal Malakar Son of Late Dukho Malakar Resident of Village – Bandu Bagicha, Post office and District Lakhisarai, at present posted as Panchayat Sewak at Surajgarha Block, District - Lakhisarai
 9. Bhola Mahto Son of Mahadeo Mahto, Resident of Village and Post office - Khawa Chand Tola, Post office - Biranpur, Police Station - Mdnichak, District - Lakhisarai at present posted as Panchayat Sewak at Barahiya Block, District - Lakhisarai
 10. Ramchandra Yadav Son of Narayan Yadav Resident of Village - Garhi, Bisanpur, Police Station and District - Lakhisarai at present posted as Panchayat Sewak at Surajgarha Block, District - Lakhisarai

.... Petitioners

Versus

1. The State of Bihar
2. Sri Amrendra Pd. Singh, the District Magistrate, Lakhisarai
3. Sri Ramesh Kumar, the Deputy Development Commissioner, Lakhisarai
4. Sri Shailendra Kumar, the District Panchayat Officer, Lakhisarai
5. Sri Md. Zakir Hushain, the District Accounts officer, Lakhisarai
6. Sri Kailash Prasad, the Block Development officer, Surajgarha, District - Lakhisarai
7. Sri Rajan Prasad, the Block Development officer, Lakhisarai, District - Lakhisarai
8. Sri Dina Murmur, the Block Development officer, Halsi, District - Lakhisarai

9. Sri Upendra Kumar, the Block Development officer, Barahiya, District - Lakhisarai

.... Contemnor/Opp. Parties

Appearance :

For the Petitioners : M/s. Jitendra Kumar Roy,
Nikki Singh, Advocates

For the State : Mr. Madhuresh Prasad, G.P. 12,
Mr. Ravi Verma, A.C. to G.P. 12

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

7 07-01-2015

Heard learned counsel for the petitioners and the opposite parties.

A show cause has been filed today on behalf of the opposite party no.2, District Magistrate, Lakhisarai. It has been stated in paragraph no.5 that four of the petitioners were found eligible for granting the benefits of ACP and, therefore, vide Annexure B-1 appended with the show cause affidavit, a fresh decision has been taken granting them the benefit of ACP. In paragraph no.6, it has been stated that remaining six petitioners have not been found eligible as their services are less than the required length as they have not completed the "Kalavadhi". A decision to that extent has been taken vide Annexure B-2 dated 18.11.2014.

In view of the aforesaid, since a decision has been taken with respect to the petitioners in compliance of the order dated 08.10.2013 passed in C.W.J.C. No.18685 of 2013 and

other analogues cases, now this proceeding cannot continue and is, accordingly, dropped.

However, six of the petitioners, who have not been granted the benefit of ACP, may either take steps to approach the authority for regularizing the period of their absence as stated in paragraph no.7 for their reconsideration for grant of ACP or if aggrieved by the order contained in Annexure B-2, they would be at liberty to assail the same before a competent forum.

(Dr. Ravi Ranjan, J)

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