

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.486 of 2014

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Ramadhar Thakur, Son of Late Ram Baran Thakur, Resident of Village- Semra
Nijamat, P.S.- Sahebganj, P.O.- Bishunpur Patti, Distt.- Muzaffarpur

.... Petitioner

Versus

1. The State of Bihar, through the Commissioner - cum - Secretary, Finance Department, Bihar, Patna
2. The Joint Commissioner, Accounts Administration-cum-Director, Provident Fund Directorate, Bihar, Patna
3. The District Provident Fund Officer, Samastipur
4. The District Treasury Officer, Samastipur
5. The Accountant General, Bihar, Patna

.... Respondents

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Appearance :

For the Petitioner/s : Mr. SIDHENDRA NARAYAN SINGH, ADV.
For the Respondent/s : MR. BHASKAR SHANKAR, A.C. TO G.P.-16
MR. ARUN KUMAR ARUN, ADV.

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 10-02-2015

Heard learned counsel for the parties.

So long as the petitioner does not pass the departmental examination and also not exempted from passing the same, this Court cannot give any direction contrary to the provisions of the A.C.P. to extend the benefit of A.C.P. because the provisions are very clear that all the requirements and eligibility for regular promotion is also required to be fulfilled for grant of A.C.P.

There is no dispute that the petitioner has not passed the departmental examination. Till he gets over that obstacle by seeking an exemption and grant thereof, this Court cannot give any mandamus in his favour for grant of A.C.P.

The writ application is dismissed.

(Ajay Kumar Tripathi, J.)

Vats/-

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