

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11842 of 2007

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Ashok Kumar Singh son of late Sheojanam Singh, resident of village-Dumaria, P.S. Dumaria, P.S. Behia, District Bhojpur

.... Petitioner

Versus

1. The State of Bihar through the Secretary Home (Special) Department Govt. of Bihar.
2. The Director General of Police, Govt. of Bihar, Old Secretariat, Patna.
3. The Inspector General of Police, Govt. of Bihar, Patna.
4. The Deputy General of Police (Human Rights) Govt. of Bihar, Patna.
5. The Senior Superintendent of Police, Patna.
6. The Accountant General, Govt. of Bihar, R Block, Patna.

.... Respondents

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Appearance :

For the Petitioner : Mr. Ashok Kumar Singh, Advocate.

For the Respondents : Mr. (GA9)

Mr. J.P.Karn

Mr. Amar Nath Singh

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL

ORAL JUDGMENT

Date: 29-04-2015

The petitioner has filed the present writ petition for a direction to grant first financial progression benefit w.e.f. 01.03.1993 and the second financial Progression benefit w.e.f. 1.3.2005

A supplementary counter affidavit has been filed on behalf of the respondent no.5. No rejoinder thereto has been filed by the petitioner. In para 4 of the supplementary counter affidavit it has been stated as follows:-

“4. That, the petitioner Ashok Kumar Singh was initially appointed on the post of constable on 01.04.1966. Thereafter the petitioner got first promotion to the rank of Assistant Sub Inspector of Police w.e.f. 01.07.1978 after completion of 12 years regular service. After that petitioner got second promotion and promoted to the rank of Sub Inspector of Police .w. e. f. 1981. In this way in full service length the petitioner was got the advantage of two rank promotions. Subsequently the petitioner got retirement from service w. e. f. 31.03.2007.”

Learned counsel for the State has submitted that the Assured Career Progression Scheme (ACP) was implemented in the year 2003 but it was made effective from 09.08.1999. The A.C.P. Rule 2003 para 1(3) provides two rank promotions to a government employee in whole service period from the date of his initial appointment i.e. after completion of 12 years of regular service and thereafter on completion of 24 years in regular service. In the case of the petitioner two ranks promotion were already granted. The petitioner retired from service on 31.3.2007.

In view of the aforesaid, this Court does not find any merit in the prayer made in this writ application. It is, accordingly, dismissed.

(Kishore Kumar Mandal, J)

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