

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.389 of 2017

IN

Civil Writ Jurisdiction Case No. 752 of 2013

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Krishna Mohan Singh, Son of Late Sarzoo Singh, Resident of Village/Nagma, P.O.
Bahpura, Police Station-Maner, District-Patna.

.... Appellant/s

Versus

1. The State of Bihar through the Registrar, Co-operative Societies, Government of Bihar, Patna.
2. The Registrar, Co-operative Societies, Government of Bihar Patna
3. The Joint Registrar, Co-operative Societies, Government of Bihar, Patna.
4. The District Co-operative Officer, Rohtas at Sasaram.
5. The Assistant Registrar, Sasaram Circle Sasaram, District-Rohtas.
6. The Assistant Registrar, Hilsa, District-Nalanda.
7. The Assistant Registrar, Bhojpur at Arrah, District-Bhojpur.
8. The Provident Fund Officer, Rohtas at Sasaram.
9. The Treasury Officer, Patna, District-Patna.
10. The Accountant General, Bihar, Patna

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ram Subhas Singh

For the Respondent/s : Mr. Rah Ballabh Pd. Yadav, AAG11

For the A.G. : Mr. Kumar Priya Ranjan, Mr. Neeraj Kumar

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 15-11-2017



Seeking exception to an order dated 20.08.2016 passed by the learned Writ Court in CWJC No. 752 of 2013 this appeal under Clause 10 of the Letters Patent has been filed.

Challenging the order passed on 28th July, 2010, whereby claim of the petitioner for grant of salary for the period April 1997 to 07.06.2001 was rejected on account of absence the writ petition was filed and claim was also made for grant of ACP benefit under the scheme. The learned Writ Court examined the matter and found that earlier also the petitioner filed a writ petition CWJC NO. 686 of 2009 which was decided on 1.2.2010, wherein the petition was disposed of directing for consideration of his representation.

His representation was rejected and the learned Writ Court on detailed examination of the matter found that the petitioner did not work for the period in question and therefore he was not entitled for salary and the benefit of the scheme. The finding recorded by the learned Writ Court for denying the salary and the claim for time bound promotion on account of the fact that he has not passed the Hindi Noting and Drafting examination which was required for grant of promotion which was applicable for grant of time bound promotion also. The learned Writ Court has rejected the claim and in doing so the reasons given by the learned Writ Court do



not call for any interference now in this proceeding.

Accordingly, the appeal stands dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

mr./-

AFR/NAFR	NAFR
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