

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.851 of 2016

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1. The State of Bihar.
 2. The Principal Secretary-cum-Finance Commissioner, Finance Department, Government of Bihar, Patna.
 3. The Director (Press and Stationary) Finance Department, Govt. of Bihar, Patna.
 4. The Deputy Secretary (Press and Stationary) Finance Department, Govt. of Bihar, Patna.
 5. The Superintendent Secretariat Press, Govt. of Bihar Guljarbagh, Patna
 6. The Deputy Superintendent, Secretariat Press, Govt. of Bihar, Gulzarbagh, Patna.

.... Appellant/s

Versus

Baidya Nath Jha, son of Late Sadanand Jha, R/0- Village- Badi Patandevi Colony, Building of Mohan Sinha, Patna City, P.S.- Alamganj, District- Patna

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Rajesh Kumar, Advocate

For the Respondent/s :

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 11-04-2017

Delay in filing of the appeal is condoned. I.A. No. 3640 of 2016 stands allowed.

2. In the matter of granting A.C.P. with effect from the date the employee in question was appointed on piece rate basis, the learned Writ Court has not committed any error inasmuch as that the learned Writ Court has only followed the mandate of a circular (Annexure-6) dated 19th of May, 1987 issued by the Government itself whereby, it has been indicated that in case of piece rate employees, their initial induction as a piece rate category would be treated as the



day for grant of Time Bound Promotion.

3. If for grant of Time Bound Promotion, the benefit of service rendered as piece rate basis is counted, there is no error in the order of the learned Writ Court in directing that this period shall also be counted for the purpose of A.C.P. That being so, we see no error in the order warranting reconsideration.

4. The Letters Patent Appeal is dismissed.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	18.04.2017
Transmission Date	

