

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.212 of 2017

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Ram Raksha Mishra Son of Sant Ram Mishra resident of village - Sisai Ranipur,
P.O. - Chawar, District - Gonda (U.P.), at present posted on Class IV post at the
office of Child Development Project Officer, Pachrukhi, Siwan.

.... Petitioner

Versus

1. The State of Bihar.
2. The Principal Secretary, Social Welfare Department, Govt. of Bihar, Patna.
3. The Director, Directorate of Integrated Child Development Scheme, Patna.
4. The Deputy Director, Social Welfare Department, Saran Division, Chapra.
5. The District Magistrate, Siwan.
6. The District Programme Officer, Siwan.

.... Respondents

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Appearance :

For the Petitioner	:	Mr. Arbind Kumar Singh, Advocate Mr. R.K. Tiwary, Advocate
For the State	:	Mr. Rajesh Kuamr, A.C. to G.P.3

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 19-09-2017

Leave is granted to the learned counsel for the petitioner to
make correction in paragraph-1 of the writ petition during the course
of the day.

The petitioner prays for grant of A.C.P. benefits which
according to him has been denied.

Learned counsel for the petitioner with reference to the
recommendations at Annexures 2 and 3 submits that although the
petitioner has been found eligible for grant of such benefit by the
Child Development Project Officer but yet the benefit has not been
granted. Learned counsel for the petitioner has submitted that the



petitioner has been in service for three decades on Class-IV post in the office of the Child Development Project Officer but none is coming forward to dispose of his grievance except making recommendations.

It is taking note of the circumstances that learned counsel for the State counsel was directed to ascertain the authority competent to take decision in relation to grant of benefit to the petitioner who holds the post of Peon in the office of Child Development Project Officer.

Mr. Rajesh Kumar, learned Assisting Counsel to G.P.3 informs that the District Magistrate, Siwan would be the competent authority.

In the circumstances, this writ petition is disposed of with a direction to the District Magistrate, Siwan to consider the grievance of the petitioner for grant of benefit under the Assured Career Progression as prayed by the petitioner and dispose of the same in the light of the recommendations at Annexures 2 and 3 of the writ petition in accordance with law expeditiously and preferably within three months from the date of receipt/production of a copy of this order.

(Jyoti Saran, J)

N.H./-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	03-10-2017
Transmission Date	

