

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1467 of 2016

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Shatrughan Prasad Singh Son of Priyogi Nath Singh, resident of Village Morcha
Road, P.O- Begampur, District- Patna (Bihar).

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Patna (Bihar).
2. The District Magistrate, District- Patna (Bihar).
3. The District Education Officer, District- Patna (Bihar).
4. The District Programming Officer, District- Patna (Bihar).

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Ful Man Singh, Advocate

For the Respondent/s : Mr. Rajesh Singh, GP-16

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 12-07-2017

In the present writ petition, the petitioner has claimed the benefits of 2nd Assured Career Progress Scheme (for short 'ACP') with effect from 1993.

2. It is submitted that the petitioner was appointed to the post of teacher on 01.01.1971 and retired on 31.07.2009. He had received all retiral dues except the amount of 2nd ACP which is due to him to be paid with effect from 1993.

3. On the other hand, learned counsel for the State submitted that the petitioner was a teacher of nationalized school.



According to him, the claim of the petitioner of 2nd ACP through this writ petition is wholly illegal in view of the Bihar State Employee (Assured Career Progress Scheme) Rules, 2003. He has submitted that Rule 1(2) of the aforesated Rules, 2003 provides that such scheme would not be applicable to teachers of nationalized schools.

4. I have heard learned counsel for the parties and perused the record.

5. I find substance in the argument advanced by the learned counsel for the State.

6. Rule 1(2) of the aforesated Rules clearly stipulates that ACP Scheme would not be applicable to teachers of nationalized schools.

7. In that view of the matter, the claim of the petitioner is impermissible in law. Accordingly, the writ petition, being devoid of any merit, is dismissed.

(Ashwani Kumar Singh, J.)

Kanchan/-

AFR/NAFR	NAFR
CAV DATE	NA
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