

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.2141 of 2016
Arising out of
Civil Writ Jurisdiction Case No. 12171 of 2014**

- =====
1. The State of Bihar through Principal Secretary, Human Resources Development Department, Govt. of Bihar, Patna.
 2. The Director (Administration), Department of Education, Govt. of Bihar, Patna.
 3. The Director, Secondary Education, Government of Bihar, Patna.
 4. The Special Director, Secondary Education, Government of Bihar, Patna.
 5. The Principal of Madarsa Islamia Shamsul Hoda, Patna.

.... Appellant/s

Versus

1. Md. Alauddin, S/o- Late Abdul Hafeez, Resident of Village- Doghra, P.S.- Jalay, District- Darbhanga.
2. Md. Zafar Sadique, S/o- Late Mustafa Raza Kamali, Resident of Village- Pokhrai, P.S.- Nanpur, District- Sitamarhi.
3. Md. Sayeed Ahmed, S/o- Late Md. Salaiman, Resident of Village- Narkatia, P.S.- Hathauni, District- Muzaffarpur.

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Rakesh Narayan Singh, Advocate
For the Respondent/s : Mr. Siya Ram Sahi, Advocate
Mr. Md. Anisur Rahman, Advocate

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 03-04-2017

The issue involved in the matter pertains to grant of
A.C.P. and fixation of pay.

Having heard learned counsel for the parties, we find
that the learned Writ Court has based its decision on an earlier order
passed in C.W.J.C. No. 7579 of 2012 and in doing so, no error has
been committed by the learned Writ Court as the question involved



already stood decided way back on 3rd of October, 1997 when C.W.J.C. No. 11338 of 1994 was decided by a Bench of this Court against which the L.P.A. filed being L.P.A. No. 1430 of 1997 was also dismissed and when employees identical situated were given the said benefit, there is no error in conferring the benefit to the present respondents-petitioners also.

Finding no merit, the Letters Patent Appeal stands dismissed.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	04.04.2017
Transmission Date	

