

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13938 of 2008

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1. Divya Raj Ganesh, son of Chandra Shekhar Prasad, Resident of Village Mouna, Chapra Town, P.S. Chapra Town, Dist. Saran.
 2. Vakil Singh, son of Ram Kripal Singh, Resident of Village Kudrabadha, P.S. Garakha, Dist. Saran.
 3. Chandrama Ram, son of late Ramswaroop Ram, Resident of Village Harakhpur, P.S. Taraiya, Dist. Saran.
 4. Ram Sakal Ram, son of Ramjanam Ram, Resident of Village Jamuna Mathia, P.S. Chapra Mufassil, District Saran.
 5. Harendra Prasad, son of late Gopal Prasad Verma, Resident of Village Kan Bhagwanpur, P.S. Rampur Rudra, Dist. Saran.
 6. Dharam Nath Baitha, son of Ssukhlal Baitha, Resident of Village Bajali Safa, P.S. Saran, Dist. Saran.
 7. Rameshwar Ram, son of late Mohar Ram, Resident of Village Pitaurhi Tiajha, P.S. Baniyapur, Dist. Saran.
 8. Krishna Prasad, son of late Sheo Nandan Sah, Resident of Village Belsand, Barauni, Dist. Gopalganj.
 9. Narayan Baitha, son of Sheo Prasanna Baitha, Resident of Village Baraja, P.S. Daudpur, Dist. Saran.
 10. Shambhu Nath Chaudhary, son of Nagina Chaudhary, Resident of Chapra, P.S. Chapra, Dist. Saran.
 11. Subhash Kumar Prasad, son of Deonandan Chaudhary, Resident of Chapra, P.S. Chapra and District Saran.
 12. Ashok Kumar Chaudhary, son of Deonandan Chaudhary, Resident of Village Roopganj, P.S. Chapra, Dist. Chapra.
 13. Sushil Kumar, son of Kanhaiya Prasad, Resident of Village West Tola Ara, P.S. Ara, Dist. Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Commissioner and Secretary, Land Reforms and Revenue Department, Government of Bihar, Patna.
3. The Commissioner, Saran Division, Saran at Chapra.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar Siinha-2, Adv.
Mr. Vijay Kumar Verma, Adv.

For the Respondent/s : Mr. Fakhruddin Ali Ahmad, AC to AAG-12

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 08-01-2018

Heard learned counsel for the parties.

In the present case, the petitioners have been



discharging the duty of In-charge Circle Officer, by different orders, petitioners were selectively picked up and they were demoted to the original post but, that was challenged by them including some of the petitioners before this Court in C.W.J.C. No. 16269 of 2016 and other analogous cases and the Court has held that reversion of fourteen persons to the post of Karamchari is in contravention to the statutory provisions and Rules and, accordingly, quashed the order of demotion. While passing the order, the Court had placed reliance on the earlier order passed in C.W.J.C. No. 10596 of 2005 and it has been held that the promotion to the post of Circle Inspector from Karamchari was not found to be illegal and further they were made In-charge Circle Officer under the provision of Sub Rule (π) in Rule 3 of the Bihar Revenue Service Rules, 2009.

The limited question left in the present case is with regard to entitlement of benefit of A.C.P. and M.A.C.P. under the A.C.P. Rule, 2003 and M.A.C.P. Rule, 2010 respectively.

Let the authority should examine the case of the petitioners and grant them the benefit of A.C.P. and M.A.C.P. from their due date.

All the exercise should be done within a period of four months from the date of receipt of this order.

With the aforementioned observation and direction, this



writ application is disposed of.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	25.01.2018
Transmission Date	NA

