

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 11459 of 2014

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Dharmnath Singh, Son of Late Shiv Lakhan Singh at Mohalla- Ramlila Mathia,
Darogarai Chowk, P.O. & P.S.- Bhagwan Bazar, Chhapra

.... Petitioner/s

Versus

- 1 The State of Bihar through the Law Secretary (Judicial) Department,
Government of Bihar, Patna
- 2 The District and Sessions Judge, Madhepura

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr Anil Kumar Mukund, Advocate

For Respondent No 1 : Mr Jainendra Kr Sinha, AC to SC XVII

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 25-01-2018

Heard counsel for the petitioner and the respondents.

2 Petitioner, who was a retired Assistant in the Civil Courts, Madhepura, has approached this Court with a grievance that he has not been granted benefit of the third Assured Career Progression (for brevity, *ACP*).

3 Attention of the Court has been drawn to Letter No 1564 dated 26.08.2013 issued by the District & Sessions Judge, Madhepura to the Law Secretary (respondent No 1) seeking legal advice/direction with regard to the admissibility of the petitioner's claim to third ACP in view of pendency of Cr Appeal No 308 of 2010 before Allahabad High Court. The said appeal has been filed by the petitioner against his conviction in Sessions Trial No 16 of 2007



arising out of Bairia Police Station Case No 149 of 2005 by the Additional Sessions Judge II, Balia (UP).

4 Counsel for the petitioner submits that respondent No 1 may be directed to take a final decision and communicate legal advice/direction in this regard.

5 In view of the limited prayer made by the counsel for the petitioner, this writ petition is disposed of with a direction upon respondent No 1 to take a final decision pursuant to the said letter dated 26.08.2013 issued by the District & Sessions Judge, Madhepura, by a reasoned and speaking order in accordance with law within a period of 8 weeks from the date of receipt/production of a copy of this order before respondent No 1.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30.01.2018
Transmission Date	NA

