

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4056 of 2016

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1. Mithilesh Kumar, son of Late Radha Prasad Singh resident of Village- Fulwari, P.S.- Mahua, District- Vaishali.
 2. Upendra Prasad Singh, Son of Late Brahmdeo Singh, resident of Village- Chhitrauli, P.S.- Goraul, District- Vaishali.
 3. Subhash Chandra Singh, Son of Sri Ram Bilash Prasad Singh, resident of Village- Rasualpur Korigaon, P.S.- Goraul, District- Vaishali. Petitioner/s

Versus

1. The State of Bihar
 2. The District Education Officer, Vaishali at Hajipur.
 3. The District Programme Officer (Establishment), Department of Education, Vaishali at Hajipur. Respondent/s
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Appearance :

For the Petitioner/s	:	Mr. Prabhu Nath Pathak, Advocate
For the Respondent/s	:	Mr. Yogendra Pd. Sinha- AAG-7
		Mr. Rajeev Kumar Sinha, AC to AAG-7

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 09-04-2018 Heard learned counsel for the petitioners and the State.

The grievance of the petitioners in the present writ petition is discrimination in the matter of grant of ACP by the respondents.

Learned counsel for the petitioners submits that the juniors to the petitioners have been granted ACP on completion of 24 years of regular service but in the case of the petitioners the respondents have adopted pick and choose and instead of granting such benefit on completion of 24 years of service, the petitioners have been granted the benefit from a date subsequent to completion of 24 years of service whereas similarly circumstanced others have been given the benefit with effect from the date of completion of 24 years of service. He submits that the petitioners have already passed



Noting and Drafting examination and there is no departmental or criminal proceeding pending which may come in the way of granting the benefit of ACP on completion of 24 years of service to the petitioners.

Considering the aforesaid, the respondents are directed to examine the service records of the petitioners and if it is found that the petitioners have unblemished service career , necessary corrective order may be passed by the respondents and benefit which accrued to the petitioners on completion of 24 years of regular service, may be extended to the petitioners from the date of completion of 24 years of service. The entire exercise in this regard must be done within a period of three months from the date of receipt/production of a copy of this order.

With the aforesaid, the writ petition stands allowed and disposed of.

(Anil Kumar Upadhyay, J)

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