

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.31 of 2016

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Kameshwar Pratap Singh Son of Late Rajeshwar Singh, resident of village -
Natwar, Samaria, P.S. Manjhi, District - Saran at Chapra

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary - Cum - Commissioner,
Department of Commercial Taxes, Government of Bihar, Patna
2. The Joint Commissioner Commercial Taxes (Administration) Patna Division,
Department of Commercial Taxes, Patna
3. The Deputy Commissioner Commercial Taxes, Patna South Circle, Department
of Commercial Taxes, Patna

.... Respondents

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Appearance :

For the Petitioner : Mr. Mrigank Mauli, Advocate
Mr. Prince Kumar Mishra, Advocate
For the State : Mr. Hari Shankar Ray, AC to AG

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 03-01-2018

Heard Mr. Mrigank Mauli, learned counsel appearing
for the petitioner and counsel for the State.

The petitioner having superannuated on 31.01.2013
has chosen to raise grievance of grant of financial progression
under the ACP Scheme(s) enforced in the year 2003 and 2010
respectively. The pleadings on record does confirm that the
petitioner has slept over his rights to awaken for delayed
action. The progression under the schemes in question was
admissible from 1999 and 2009 respectively but no legal
recourse was taken until his retirement on 30.01.2013. It is



after his retirement that a writ petition was filed in the year 2014 claiming multiple reliefs which also was permitted to be withdrawn on 26.11.2014 vide Annexure-10. The petitioner again went sulking for more than a year to file this writ petition.

Although Mr. Mauli, learned counsel for the petitioner draws attention of this court to the relief of confirmation of services but considering that the petitioner is a pensioner as admitted by Mr. Mauli, the issue becomes academic.

The delayed action of the petitioner does not persuade this Court to grant indulgence to the prayer made for grant of financial progression.

The writ petition is dismissed.

(Jyoti Saran, J)

N.H./-

AFR/NAFR	NAFR
CAV DATE	N/A
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