

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20192 of 2011

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Suresh Thakur S/O Late Fucho Thakur, R/O Mohalla-Khankitta, P.S And Post Office Sabour, Distt- Bhagalpur.

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Director Agriculture Bihar Patna.
2. The Rajendra Agriculture University Through The Vice Chancellor, Pusa, Samastipur.
3. The Director Administration, Rajendra Agriculture University, Pusa, Samastipur.
4. The Comptroller, Rajendra Agriculture University, Pusa Samastipur.
5. The Dena-Cum-Principal, Bihar Agriculture College, Sabour, Bhagalpur.
6. The Assistant Comptroller, Bihar Agriculture College, Sabour, Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Md. Najmul Hodda
For the Respondent/s	:	Mr. Shyam Kishor Sharma Ga3
For the University	:	Mr. Sanjeev Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

8 22-06-2018 Heard learned counsel for the petitioner and the counsel appearing on behalf of the State.

Petitioner has filed the present writ application for a direction to the respondents to grant A.C.P. from 09.08.1999 in the pay scale of Rs. 3050-4590 and 2nd A.C.P. from 14.11.1999 in the pay scale of Rs. 4000-6000.

Learned counsel appearing on behalf of the University submits that when there is no promotional post available, the A.C.P. is admissible on the higher pay-scale above the pay scale on which petitioner is working and the University has acted strictly in accordance with principle laid down in the A.C.P.



Rules and there is no infirmity in the decision of the University.

Learned counsel for the petitioner with reference to the recommendation of the Principal of the College vide Annexure-3 submits that Principal has forwarded the case of the petitioner and as such he deserves at least decision by the University on the claim of the petitioner.

In the aforesaid facts and circumstances the writ petition is disposed of with direction to the University to indicate by a reasoned order that the pay scale admissible was extended to the petitioner on grant of A.C.P. under the A.C.P. rules. Decision in this regard must be taken 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 disposed of.

(Anil Kumar Upadhyay, J)

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