

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4355 of 2019

1. Surendra Prasad Keshri, S/o Late Dr. Baidyanath Pd. Keshari R/o J.M.S, 152, Belasadan, Road no-A1, Srinagar, Ashiyana Nagar, District- Patna
2. Urmila Devi W/o Surendra Prasad Keshri R/o J.M.S, 152, Belasadan, Road no-A1, Srinagar, Ashiyana Nagar, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, General Administration Department, Bihar, Patna
3. The Principal Secretary, Art, Culture and Youth Department, Bihar, Patna
4. The Commissioner, Patna Division, Patna
5. The Joint Secretary, Art, Culture and Youth Department, Bihar, Patna
6. The Cane Commissioner, Government of Bihar, Patna

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar
For the Respondent/s : Mr. Sarvesh Kumar Singh (Aag 13)

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 08-03-2019

Heard the learned counsel for the petitioners and the State.

2. The petitioner who has taken voluntary retirement on health grounds is aggrieved by the fact that the period of his medical leave of 1255 days has wrongly been converted into extra ordinary leave period by the department of Art, Culture and Youth Department, Government of Bihar, Patna. The petitioner has also approached this Court for payment of the financial progression to him under the ACP Rules, 2003 and MACP



Rules, 2010 as prior to his voluntary retirement, he had worked continuously till 04.06.2010.

3. The petitioner no. 1, because of his illness has also chosen it to be appropriate to make his wife a co-petitioner so that in case any petition is to be filed or representation is to be made before the concerned authority, the same could be done at her instance, because the petitioner is not in a position to move because of his illness.

4. The petitioner has brought on record the details of the circumstances in which he had to take voluntary retirement.

5. Regard being had to the aforesaid facts, even the suspension of the petitioner was revoked.

6. However his representation before the Cane Commissioner, Government of Bihar, Patna for redressal of his grievances has not yielded any result.

6. Under the circumstances, the petitioner no. 1 either himself or through the petitioner no. 2 is directed to make a representation before the Joint Secretary, Art, Culture and Youth Department, Government of Bihar, Patna (respondent no. 4) detailing his grievances and the reasons why the leave availed of by the petitioner on medical grounds was wrongly converted into extra ordinary leave and for payment of other dues to which the



petitioner is entitled within a period of four weeks, which representation shall be disposed of positively within a period of four weeks thereafter by a reasoned order.

7. With the aforesaid direction/observation, the writ petition is disposed of.

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
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