

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6775 of 2015

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Badri Mandal @ Badri Narayan Mandal Son of Late Mahadeo Mandal
Resident of village- Sujapur, P.S. Baunsi, District Banka

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Industry Government of Bihar, Patna
2. The Director, Department of Industry, Government of Bihar, Patna.
3. The Accountant General, Bihar Patna
4. Treasury officer Banka.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Pravina Kumari, Advocate
For the State	:	Mr. Mithilesh Pd Singh, AC to GA 4.
For the AG	:	Mr. R.K.Priyadarshi, Advocat

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL JUDGMENT

Date : 09-04-2019

Claim of the petitioner in the instant writ petition is for grant of benefits arising out of ACP. Relying upon judgment in the case of **State of Bihar vs. Anjani Kumar** in the proceedings arising out of LPA No. 1828 of 2012 as well as placing reliance on Clause 4 of the ACP Scheme, it is submitted by the State counsel that the petitioner has not passed the accounts examination and therefore, does not possess the requisite for grant of benefits under ACP.

Petitioner's counsel, on the other hand, submits that the reasons assigned by the authorities is false and that the petitioner has passed the accounts examination.

In view of the disputed issue of fact being raised in the



proceedings, this Court would observe that if the petitioner has a result showing him to be passed in accounts examination then he can place reliance on same for obtaining benefits of ACP from the authority concerned.

Writ petition stands disposed off.

(Madhuresh Prasad, J)

Prakash/-

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CAV DATE	
Uploading Date	
Transmission Date	

