

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7969 of 2019

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Lalan Kumar Jha, Son of Late Kulanand Jha Resident of Village and P.O.-
Bhith, Bhagwanpur, P.S.- Madhepur, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principle Secretary, Department of Revenue and Land Reform, Govt. of Bihar, Patna.
2. The Principle Secretary, Department of Revenue and Land Refom, Govt. of Bihar, Patna.
3. The Director, The Directorate of Consolidation, Bihar, Patna.
4. The Joint Director, The Directorate of Consolidation, Bihar, Patna.
5. The Consolidation Officer, Bihiya, District- Bhojpur.
6. The Commissioner-cum-Secretary, Dept. of Finance, Govt. of Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Abhay Kumar Thakur, Advocate
For the Respondent/s : Mr. Sajid Salim Khan (SC 25)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 19-06-2019

Heard the learned counsel for the parties.

2.The petitioner seeks a direction to the respondents to give him ACP and MACP since he has served for more than 40 years.

3. The counsel for the State however has submitted that the petitioner's length of service has been more than 40 years and therefore there is presumption that his appointment was at a time when he was not even a major.



4. In any view of the matter, this Court is not beset with the aforesaid issue for the present. The petitioner has now superannuated and is definitely entitled to the benefits which may have accrued on his rendering service in the department. In case the genuine demand of the petitioner has not been redressed or looked at, the concerned respondent is under an obligation to at least decide the issue and let the petitioner know about the decision.

5. Under the aforesaid circumstances, the petitioner prays for withdrawal of this petition in order to enable him to make a detailed representation before the Director, the Directorate of Consolidation, Bihar, Patna (respondent no. 3) within a period of four weeks. The concerned respondent on receipt of such representation shall look into the entire facts and rules in that regard and shall pass a reasoned order in accordance with law within a further period of four weeks.



6. With the aforesaid direction/observation, this
petition is permitted to be withdrawn.

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.06.2019
Transmission Date	

