

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 121 of 2015

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Awadh Narain Roy son of Late S N Roy, a resident of Mohalla- Ram Nagar
Devi Asthan Lane, Chiraiyan Tard, Police Station Jakkanpur, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Department of Art, Culture (Museum) and Youth,
Government of Bihar, Patna
3. The Joint Secretary, Department of Art, Culture (Museum) and Youth,
Government of Bihar, Patna
4. The Secretary, Finance Department, Government of Bihar, Patna
5. The Accountant General, Bihar, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr Kamal Kishore Singh, Advocate
For the S t a t e	:	Mr Kumar Alok, SC VII with Mr Rakesh Kumar, AC to SC VII
For Accountant General	:	Ms Nivedita Nirvikar, Advocate

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date : 08-01-2019

Heard learned counsel for the petitioner and the
respondent-State.

Petitioner claims benefit of second Assured Career
Progression (for brevity, *ACP*) Scheme. The submission on behalf
of the petitioner is that the period of service rendered under the
Central Government prior to his joining as Curator in the



Chandradhari Museum, Darbhanga on 20.10.1981 should be taken into consideration to determine the requisite qualifying period of 24 years of service which is an essential pre-requisite for grant of second ACP.

Issue has been considered by the authorities during pendency of the writ petition. The authorities have relied upon the provisions contained in the ACP Scheme, 2003. Considering the fact that the petitioner's entire length of service from his joining on 20.10.1981 to his retirement on 30.04.2001 is less than 20 years, the authorities have disallowed his claim for benefit of second ACP.

No provision has been highlighted by the petitioner to show that he would be entitled to counting of the services rendered by him before the Central Government prior to his fresh appointment as Curator in the services of the State of Bihar on 20.10.1981. As such, claim of the petitioner has been rightly decided by the authorities under order dated 15.02.2017 issued by the Deputy Secretary in the Department of Art, Culture and Youth Affairs, Government of Bihar. The decision of the Authority dated 15.02.2017 has also not been challenged by the petitioner.



Considering the aforesaid facts and circumstances, the claim of the petitioner is devoid of merit and the writ petition is dismissed.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
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