

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9093 of 2019

Vijay Kumar Dubey Son of Late Shiokrit Dubey Resident of Village and P.O.-
Gangahar, Police Station- Ara Muffasil, Block- Ara Sadar, District- Bhojpur at
Ara. Petitioner

Versus

1. The State of Bihar Through Principal Secretary, Department of Finance, Government of Bihar, Patna.
2. The Joint Secretary Department of Finance, Government of Bihar, Patna.
3. The District Magistrate Bhojpur at Ara.
4. The District Panchayat Officer Bhojpur at Ara.
5. The District Accounts Officer Bhojpur at Ara.
6. The Block Development Officer Piro, District- Bhojpur at Ara.

... .. Respondent/

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Roy
For the Respondent/s : Mr. Chitranjan Sinha (Paag2)
Mr. Shailendra Kumar, AC to PAAG 2

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 30-05-2019 Matter has been listed today in the Summer
Vacations as the learned Counsel for the petitioner was desirous
for consideration of his case during vacation.

The slip for listing was filed pursuant to notice dated
8th May, 2019, published prior to the Vacation.

The matter is, accordingly, taken up for consideration
as both parties are present and willing to assist the Court for
disposal of the matter.

Claim of the petitioner in the instant proceeding is for
grant of benefits under the assured career progression scheme.

It is submitted that the petitioner has approached the



District Magistrate, Bhojpur, Arrah for the said relief. It is submitted by petitioner's Counsel that the petitioner has retired on 31.1.2015 and that the petitioner had become entitled for grant of benefits of first ACP from 13.6.2008 for which he has made his claim. He submits that on the said date neither any charge memo or charge-sheet had been issued against him and there is no impediment for grant of the said benefit.

Without going into merits of the said submission and since it is submitted that the petitioner has already approached the District Magistrate, Bhojpur, Arrah, in respect of the said claim, parties agree that the decision has to be taken by the District Magistrate, Bhojpur, Arrah.

In the circumstances, the writ petition is disposed of with a direction to respondent No. 3 to dispose of the claim of the petitioner expeditiously, without any undue delay and preferably within a period of eight weeks from the date of receipt/production of a copy of this order.

It is made clear that the dues, if found admissible, should also be paid within four weeks thereafter.

The writ petition stands disposed of.

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(Madhuresh Prasad, J)

