

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8916 of 2019

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Sri Bhagwan Tiwary son of Late Bindeshwari Tiwary resident of Village and
Post- Amahata, Police Station- Agiaon Bazar, Block- Piro, 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- Bihia, Bhojpur at Ara.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Roy
For the Respondent/s : Ms. Rashmi Bharti, AC to (Sc21)

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 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 in January 2016 and that the petitioner had become entitled for grant of benefits of first ACP from 16.6.2008 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.

(Madhuresh Prasad, J)

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