

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No 841 of 2016**

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Ram Priya Paswan son of late Raghu Nandan Paswan Resident of Village-  
Hirdayganj, PS & District -Katihar at present working as Clerk in the  
Superintendent Police, Bhagalpur , PS & District Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Finance,  
Govt. of Bihar, Patna.
2. The Inspector General of Police, (Budget/Appeal/Welfare) Govt. of  
Bihar, Patna.
3. The Director of General of Police, Govt. of Bihar, Patna.
4. The Senior Superintendent of Police, Bhagalpur.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s | : | Mr Dhirendra Kr Jha,<br>Mr Suresh Prasad Sah @ Baranwal, Advocates |
| For the S t a t e    | : | Mr Sita Ram Yadav, GP XVI                                          |

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**CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD**

**ORAL ORDER**

**4      09-01-2019**                      Heard learned counsel for the petitioner and the  
respondent-State.

Relying upon the judgment of this Court in the case of  
*Raktima Rakshit -Versus- State of Bihar & Others (CWJC No*  
*22851 of 2013)*, learned counsel for the petitioner submits that  
being an employee of the Mufassil Cadre, the petitioner was not  
required to clear the departmental examinations for grant of  
benefits of Assured Career Progression Scheme.

This aspect of the matter has not been considered by  
the respondents in the counter affidavit filed as prior to filing of  
counter affidavit, such claim had not been made by the



petitioner either in the writ petition or before the authorities.

Learned counsel for the petitioner submits that he would make a detailed and comprehensive representation relying upon the case of *Raktima Rakshit (supra)* before respondent No 2 within four weeks from today.

Respondent No 2 would be obliged to consider the claim of the petitioner in light of the law contained in the said judgment and in accordance with the extant Rules and provisions in this regard within a period of three months thereafter.

Writ petition is disposed of with the aforesaid directions.

**(Madhuresh Prasad, J)**

**M.E.H./-**

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