

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20654 of 2019

Chinta Devi W/o Late Vijay Singh, Resident of Village-Gopalpur, P.S.
Nayagaon, District-Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Panchayati Raj Department, Bihar, Patna.
2. The Commissioner, Saran, Chapra.
3. The District Magistrate, Saran, Chapra.
4. The Block Development Officer, Dighwara, Saran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Deonath Prasad
For the Respondent/s : Mr.P.N. Shahi (AAG-6)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 25-11-2019 Heard learned counsel for the parties.

2. The petitioner claims to be a widow of one late Vijay Singh, who was according to her, working as Panchayat Sevak. The petitioner's husband superannuated on 31.12.2000 and died in the year 2017.

3. It is the petitioner's case that her husband was entitled for benefits of Assured Career Progression. There is no explanation in the writ application as to why the petitioner's husband did not raise any such claim till he was alive and died seventeen years after his superannuation in 2017. It is asserted in the writ application that the petitioner started pursuing the matter in June, 2019 by making representations before the



authorities.

4. The delay of more eighteen years in raising claim for grant of Assured Career Progression has no justification nor any acceptable explanation is available on record. Normally, I would have dismissed this writ application on the ground of delay and latches.

5. However, considering the facts and circumstances of the case and the situation that the petitioner, who is a widow is claiming such right, which her deceased husband had for grant of Assured Career Progression, this application is disposed of with an observation that let the petitioner's representation be gone into by the District Magistrate, Saran and a decision be taken in accordance with law, within two months from the date of receipt/production of a copy of this order on the point as to whether the petitioner's husband was entitled to Assured Career Progression or not. If he had such entitlement, the claim should be granted with consequential benefits, within a period of six months thereafter.

6. This disposes of the application.

(Chakradhari Sharan Singh, J)

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