

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 3084 of 2020

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Raghunath Bhakta S/o- Dayali Bhagat resident of Village- Rasulpur, P.S.-
Nayagaon, District- Saran Chapra.

... .. Petitioner

Versus

1. The State of Bihar through Principal Secretary, Human Resources Department, Bihar, Patna.
2. The District Magistrate, Saran, Chapra.
3. The District Education Officer, Saran, Chapra.
4. The District Programme Officer (Establishment), Saran, Chapra.

... .. Respondents

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Appearance :

For the Petitioner : Mr.Deonath Prasad, Advocate
For the Respondents : Smt.Binita Singh SC 28

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 24-02-2020 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

The grievance of the petitioner in the present writ petition relates to non-payment of the benefits of 1st and 2nd ACP which was admissible in terms of Assured Career Progression Scheme-2003 with effect from 09.08.1999.

Learned counsel appearing on behalf of the respondents submits that the petitioner has filed this writ application after 20 years of his retirement.

Irrespective of the fact fact that the petitioner has approached this Court after inordinate delay, discrimination goes to the root of the case and delay will not come in the way



of the respondents in redressing the grievance of the petitioner.

Considering the aforesaid, the writ petition is disposed of with a direction to the respondents to verify the record and if it is found that the petitioner is entitled to financial upgradation as per the ACP Scheme which was designed to remove his stagnation in service and if it is found that the petitioner has not received any promotion and otherwise he was eligible, but due to non-availability of promotional avenue, he has not been granted promotion, respondents are directed to consider the case of the petitioner in terms of ACP Scheme and necessary decision in this regard shall be taken within a period of three months from the date of receipt/production of a copy of this order.

With the aforesaid, the present writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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