

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 8407 of 2020

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Ashim Kumar Kar son of Late Himanshu Bimal Kar resident of Village-
Khajanchi Hat, Post Office- Purnia Police Station- Khajanchi Hat, District-
Purnia.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Finance Secretary, Government of Bihar, Patna.
3. The Director Agriculture, Government of Bihar, Patna.
4. The Deputy Director, Agriculture, Purnia.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sada Nand Roy
For the Respondent/s	:	Mr.Lalit Kishore (Ag)

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 26-11-2020

This case has been filed with prior permission through Electronic Mode on account of limited Court functioning due to COVID 19 Pandemic. The same has been placed for consideration before this Court and is, accordingly, being taken up through Video Conferencing.

Learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this Virtual Court Proceedings with the aid of Audio Visual Technology.

Heard learned counsel for the parties.

It is submitted by the petitioner's counsel that the petitioner has retired as Cinematography Assistant from the



office of Deputy Director, Agriculture, Purnia. He submits that his retiral dues and one Assured Career Progression had already been granted to him. It is his submission that the petitioner is also entitled to benefits under Modified Assured Career Progression and that other similarly situated as the petitioner has been allowed the benefit under order dated 25.10.2016 (Annexure 3) issued by the Director, Agriculture. The claim of the petitioner was required to be made before the Director, Agriculture and if the petitioner is similarly situated as beneficiary of the order dated 25.10.2016, then the same is to be made available to the petitioner also. No adjudication is called for. The learned counsel for the petitioner, in the circumstances, submits that citing the example of the grant of benefits under order dated 25.10.2016, petitioner would represent his claim before Respondent No 3, Director, Agriculture, Government of Bihar, Patna within two weeks from today.

In the event, such an application is filed, along with a copy of this order, it is needless to say that the petitioner's claim is required to be considered and due, found admissible, is required to be paid to the petitioner without any delay and preferably within eight weeks thereafter.

Writ petition stands disposed of.



This Court would only observe that the order may not be deemed to be an expression on the merits of the claim of the petitioner.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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