

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.7852 of 2021**

Manorama Keshri W/o Late Shivjee Prasad C/o Vishwanath Prasad Keshri,  
Saguna Devi Chaura Khet Me, P.O. Danapur Cant, Danapur Patna - 801503  
Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar. Bihar.
2. The Principal Secretary, Department of Industry, Patna, Bihar.
3. The Director, Handloom and Sericulture Department of Industries Bihar,  
Patna.

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr. Rajesh Dayal  
For the Respondent/s : Mr. Shankar Kumar

**CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI**

**ORAL JUDGMENT**

**Date : 11-02-2022**

The matter is heard via video conferencing due to  
circumstances prevailing on account of the COVID-19  
pandemic.

2. State counsel accept notice for respondent nos. 1  
to 3. Petitioner's counsel to furnish copy of the petition to the  
State counsel, if it is not already served.

3. In the instant petition, petitioner has prayed for  
following reliefs:

“1. That the present writ  
application is being filed for issuance of  
direction to the Respondent in nature of  
appropriate writ/writs/order/orders/direction  
for the following reliefs:

(a) To direct the respondent no. 2  
petitioner who was appointed on 15.01.1986



on the pay grade of (Rs 350-3-380-425/-) on the post of class IV employee in the Department of Handloom and Sericulture, Department of Industry, Government of Bihar Patna. Petitioner uninterrupted 32 years of long service period be confirmed from the date of appointment.

(b) Petitioner seeks further direction, to the respondent authority, after confirmation of service, the first and second ACP and other financial consequences benefits also be paid to the petitioner.

(c) And/or for any other relief(s) for which the Petitioner may be found entitled to in the facts and circumstances of the present case.”

4. Aforesaid relief is supported by representations dated 09.02.2015 and 04.12.2019, vide Annexures- 3 and 6.

5. Learned counsel for the petitioner submitted that official respondents have extended some benefits to such of those persons who are similarly placed. Thus, there is a discrimination.

6. In the light of these facts and circumstances, the concerned respondent is hereby directed to take note of petitioner’s representations read with service particulars and extend all service and monetary benefits on par with others.

7. At this stage, learned counsel for the petitioner submitted that in para 17 of the counter affidavit it is submitted that petitioner has been extended confirmation and other



benefits, however, copy of the counter affidavit has not been placed on record. Thus, learned counsel for respondent-State's statement has been taken note of. If the petitioner has already availed the benefit as claimed by him, nothing remains in the present case except whether petitioner is entitled to ACP and other benefits. If petitioner is entitled, the same shall be examined and decided within a period of two months from the date of receipt of copy of this order.

8. With the aforesaid observations, the instant petition stands disposed of.

**(P. B. Bajanthri, J)**

rakhi/-

|                   |            |
|-------------------|------------|
| AFR/NAFR          |            |
| CAV DATE          |            |
| Uploading Date    | 24.02.2022 |
| Transmission Date |            |

