

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18754 of 2014

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Sheela Devi, Wife of Late Yogendra Paswan, resident of Panchmukhi Chowk,
Ward No. 14, Madhepura, Police Station- Madhepura in the district of
Madhepura

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Social Welfare Department, Government of Bihar, Patna
2. The Principal Secretary, Social Welfare Department, Government of Bihar, Patna
3. The Director, Social Welfare Department, Government of Bihar, Patna
4. The Deputy Secretary, Social Welfare Department, Government of Bihar, Patna
5. The District Magistrate, Sheohar, Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate
For the State : Mr. AC to GP 4

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
and
HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH)

Date : 05-12-2022

Heard Mr. Sunil Kumar, learned counsel for the
petitioner and Mr. AC to GP 4 for the State.

2. The petitioner has moved this Court for the following
reliefs:

- “i. To direct the respondents to consider the case of the husband of the petitioner to give the benefit of 1st Assured Career Progression (herein after referred as 1st A.C.P.) w.e.f. 9.8.1999 i.e. the date on which junior to him has been given the benefit of 1st A.C.P.*
- ii. Also to give all other consequential services benefit.*



iii. Also for any other relief reliefs for which the petitioner is found to be entitled in the eye of law.”

3. Learned counsel for the State submits that the husband of the petitioner died in the year 2005 but prior to that he was made accused in a criminal case in which upon submission of charge-sheet, the Government had also granted sanction for prosecution. Thus, it was submitted that at the relevant point of time, the case for promotion to the late husband of the petitioner could not have been considered due to his involvement in a criminal case.

4. Having regard to the nature of controversy, the Court finds that the authorities cannot be directed to consider the promotion to the late husband of the petitioner.

5. Accordingly, the writ petition stands disposed of.

(Ahsanuddin Amanullah, J)

(Harish Kumar, J)

Anjani/-

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