

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13426 of 2022

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Rakesh Kumar son of Late Sharda Nana Lal, resident of Nand Bhawan,
Gandhi Path, Mithapur, Patna 800001.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principle Secretary, Department of Industry, Govt. of Bihar, Patna.
2. The Director, Director of Handloom Sericulture, Department of Industry, Bihar, Patna.
3. The Additional Director of Industries, Department of Industry, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Dayal
For the Respondent/s : Mr.Abbas Haider (Sc6)

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 15-09-2022 The petitioner's benefits under the Assured Career Progression (ACP) Scheme have been withdrawn under communication dated 11.06.2014 issued by the Director, Handloom and Silk, Bihar, Patna. His appeal is pending consideration as is apparent from Annexure-6. The appeal is said to have been filed on 01.06.2020 before the Secretary, Industry Department-cum-Chairman, Bihar State Litigation Policy, Bihar, Patna.

Learned counsel for the petitioner submits that he would be supplementing his pending appeal by placing on record decision of the Division Bench of this Court in LPA No. 372 of 2019 wherein it has been held that for non-passing of



departmental examination, the benefits of ACP cannot be denied.

In view of such submission, since the consideration now has to be done by appellate authority, the writ application need not be kept pending. The same is disposed of.

If the petitioner supplements his appeal within three weeks, then it is expected that the appellate authority will take a final decision within 8 weeks thereafter.

(Madhuresh Prasad, J)

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