

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.280 of 2020

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Kalika Prasad Singh, aged about 61 years, male, Son of Late Jaipal Singh
Resident of Village and Post- Sadikpur, Police Station- Maner, District- Patna.

... .. Petitioner

Versus

1. The State of Bihar through Principal Secretary, Department of Panchayat Raj, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of General and Administration, Govt. of Bihar, Patna.
3. The District Magistrate Patna.
4. The District Panchayat Raj Officer Patna.
5. The District Accounts Officer Patna.
6. The Block Development Officer Bihta, District- Patna.

... .. Respondent

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Appearance :

For the Petitioner : Mr. Harsh Anuj, Adv.
For the Respondents : Mr. Sanjeet Kumar Singh AC to AAG-6

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 28-06-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The petitioner has claimed benefit of 2nd A.C.P. which he submits have not been made available to him, in spite of being eligible for grant of the said benefit. Reliance is placed on the recommendation for grant of the benefit by the Block Development Officer, Bihta to the District Panchayat Raj Officer, Patna under communication dated 18-07-2018 bearing Memo No. 1753.

3. From perusal of the same, it appears that the same



recommends exemption from the requirement of computer proficiency in favour of the petitioner. Learned counsel for the petitioner, however, submits that the proficiency is no more required. Be that as it may, the Court will observe that final decision was required to be taken on the recommendation made by the Block Development Officer dated 18-07-2018, which, as per averments made in the writ petition, has not been done till date.

4. In view thereof, since the final decision has to be taken on the basis of recommendation dated 18-07-2018 by the Authorities, for the present, no adjudication is called for and the matter need not unnecessarily be kept pending.

5. The District Magistrate (Respondent No.3) must take a final decision in light of the recommendation, taken note of above, within a period of 08 weeks from the date of receipt/production of a copy of this order. The due admissible benefits and consequential benefits of the petitioner must also be calculated and paid within four weeks thereafter.

6. If for any reason, the petitioner is considered disentitled to the benefit, the District Panchayat Raj Officer, Patna (Respondent No.4) would be obliged to reject the same by a reasoned and speaking order within the aforesaid period.



7. Writ application is disposed of with the directions
above.

(Madhuresh Prasad, J)

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