

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3006 of 2023

Ram Nath Prasad Son of Radhey Mahto Resident of Sipah, Near Kargil Chowk, Police Station- Deep Nagar, P.O.- Rana Bigha, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Minor Irrigation, Government of Bihar, Patna.
2. The Principal Secretary, Minor Irrigation Department, Government of Bihar, Patna.
3. The Deputy Secretary, Minor Irrigation Department, Government of Bihar, Patna.
4. The Engineer-in- Chief, Minor Irrigation Department, Government of Bihar, Patna.
5. The Chief Engineer, Minor Irrigation Department, Government of Bihar, Patna.
6. The Superintending Engineer, Minor Irrigation Circle, Gaya.
7. The Executive Engineer, Minor Irrigation Division, Nawada.
8. The Senior Accounts Officer, Office of the Principal Accountant General (A and E), Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Bidhanesh Misra, Advocate
Ms. Tanuja Kumar Mishra, Advocate
For the Respondent/s : Mr. Manoj Kumar Sinha, AC to GA-9
Mr. Ramyash Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 25-07-2023 1. For benefits of financial progression under the
various schemes to mitigate stagnation of government
employees, an employee is required to clear some examinations
or seek exemption thereon.

2. The learned counsel for the petitioner submits that being eligible for exemption, he has applied before his controlling authority, namely, the Executive Engineer



(respondent No. 7) who in turn has forwarded his application to the respondent No. 3 as far back as on 16-04-2022 whereas no decision is forthcoming.

3. Learned counsel for the State submits that the exemption is not as a matter of course.

4. However, learned State counsel cannot dispute the requirement of considering and passing a final order on the claim and keeping it pending for such a long time in the opinion of the Court is also undesirable, to say the least.

5. Since the issue is pending consideration before respondent No. 3 and no issue is arising for adjudication at present, the Court would dispose of writ application with a direction to respondent No. 3 to pass a reasoned and speaking order on the petitioner's claim within eight (8) weeks from the date of receipt/production of a copy of this order.

(Madhuresh Prasad, J)

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