

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2887 of 2023

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Surendra Kumar Choudhary, Son of Late Visheshwar Prasad, Resident of
Mohalla- Mallahchak, P.O. and P.S.- Jehanabad, District- Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Agriculture Department, Bihar, Patna.
2. The Director, Directorate of Agriculture, Bihar, Patna.
3. The Deputy Director (Administration), Directorate of Agriculture, Bihar, Patna.
4. The Secretary, Agriculture Department, Bihar, Patna.
5. The Joint Secretary, Agriculture Department, Bihar, Patna.
6. The District Magistrate, Jehanabad.
7. The District Magistrate, Munger.
8. The Block Development Officer, Munger.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Binod Kumar, Advocate
For the Respondent/s	:	Mr.Raghwanand, GA-11
		Mr.Sanjay Kr. Tiwary, AC to GA-11

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 24-07-2023 1. Heard learned counsel for the petitioner and
learned counsel for the State.

2. Learned counsel for the petitioner submits that in
view of decision of the Hon'ble Apex Court passed in the case
of *Amresh Kumar Sinha and Ors. versus The State of Bihar
and Ors.* in *Civil Appeal No.3139-3146 of 2023* arising out of
SLP (C) No. 8219-8226 of 2019, the petitioner's claim for grant
of ACP is required to be considered without raising any
objection regarding non-passing of any departmental
examination or Hindi noting and drafting examination.



3. The judgment being relied upon by the learned counsel for the petitioner is dated 25th April 2023, i.e. much after passing of the order dated 24.08.2022 by which the petitioner is aggrieved. Having regard to the declaration in the order of the Hon'ble Apex Court being relied upon, the authorities are required to reconsider the petitioner's claim.

4. Let the Director, Directorate of Agriculture (Respondent No.2) consider the petitioner's claim.

5. For facilitating such consideration learned counsel for the petitioner submits that the petitioner would be submitting his service history along with copy of the Hon'ble Apex Court judgment before the Respondent No.2 within two weeks.

6. Within 3 months from submission of the petitioner's application along with copy of this order, Respondent No.2 would be obliged to pass a reasoned and speaking order and pass necessary orders for payment of dues found admissible to the petitioner.

7. The order dated 24.08.2022 shall not stand in the way of such reconsideration.

8. Writ application is disposed of.

(Madhuresh Prasad, J)

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