

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12230 of 2015

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Kaushal Kishore Thakur Son of late Shyam Sunder thakur resident of Village-
Kamtaul, Court, P.O. Police Station - Kamtaul, District Darbhanga.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Government of Bihar, Old Secretariat, Patna.
2. The Secretary, Home Special Department, Govt. of Bihar, Old Secretariat, Patna.
3. The Deputy Secretary, Home Special Department, Govt. of Bihar, Old Secretariat, Patna.
4. The Director General, Prosecution, Govt. of Bihar, Old Secretariat, Patna.
5. The Director law, Prosecution, Govt. of Bihar, Old Secretariat, Patna.
6. The District Magistrate, Darbhanga.
7. The District Prosecution Officer, Darbhanga.
8. The District Prosecution Officer, Madhubani.
9. The Incharge Sub Divisional officer, Prosecution Officer, Benipur, Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Govind Mohan Thakur, Advocate
For the Respondent/s : Mr.AC to AAG 6 (Ex.)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-08-2023 1. The present petition has been filed seeking the
following relief :-

*“(i) For issuance of a writ/ order/ direction
commanding the respondents to consider the
case of the petitioner for his promotion as an
Assistant in Class III post by virtue of his
eligibility seniority and educational
qualification with all consequential benefit.”*



2. At the outset, the learned counsel for the respondents has referred to the counter affidavit filed in the present case to submit that since, till the date of the retirement of the petitioner i.e. 31.07.2013, the services of the petitioner had not stood confirmed, he could not be promoted to the post of Assistant (Class-III) post, however, later on, the services of the petitioner was confirmed by the Department vide Office Order dated 03.04.2014 and then his case was recommended for grant of 3rd M.A.C.P. w.e.f. 01.01.2009, which is under process.

3. In view of the aforesaid, while disposing off the present writ petition, this Court directs the Director General, Prosecution, Bihar, Patna to ensure that the benefits of 3rd M.A.C.P. etc. are granted to the petitioner, including the monetary benefits thereof, within a period of four weeks from today.

3. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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