

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22216 of 2014

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Ram Pravesh Sharma son of Late Kamla Prasad Sharma resident of village- Gahara, P.O. Adampur, Piplawan, P.S. Naubatpur, District- Patna presently residing at House No. 401A, Nehru Nagar, P.O. and P.S. Patliputra, District- Patna, the retired Assistant , New Capital Circle, Patna Municipal Corporation, Patna.

... .. Petitioner/s

Versus

1. The Patna Municipal Corporation, Patna through the Municipal Commissioner.
2. The Municipal Commissioner, Patna Municipal Corporation Patna.
3. The Finance Officer, Patna Municipal Corporation ,Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. S.B.K. Mangalam, Adv.
For the Respondent/s	:	Mr.Hargovind Singh Himkar
For the PMC	:	Mr. Prasoon Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL JUDGMENT

Date : 16-08-2023

The present writ petition has been filed seeking the following reliefs:-

“1(I). For issuance of an appropriate writ in the nature of MANDAMUS, commanding and directing the Respondent Authorities for grant of benefits of first, second and third Assured Career Progression (hereinafter referred to A.C.P.) in view of the provisions contained in Bihar Government Servant Service Condition (Assured Career Progression) Rules, 2003 read with Bihar Government Servant Service Condition (Modified Assured Career Progression) Rules, 2010 on the ground that



the petitioner was appointed in the Service of Patna Municipal Corporation on 24.11.1976 and was superannuated from the service on 31.08.2011 i.e. after serving the Corporation for about 35 years.

(II). For issuance of an appropriate writ in the nature of MANDAMUS, commanding and directing the Respondent Authorities to pay to the petitioner the benefits of sanction of Assured Career Progression Rules with a further direction to revise his retiral dues accordingly since he has been paid his retiral dues in part on the basis of last pay drawn by him on the date of retirement as also to pay interest on account of delay payment of promotion benefits.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Municipal Commissioner, Patna Municipal Corporation, Patna, for redressal of his aforesaid grievances. Liberty, so sought, is granted.

3. It is needless to state that in case, appropriate petition is filed within a period of two weeks from today before the Municipal Commissioner, Patna Municipal Corporation, Patna, he shall consider the same, in accordance with law and pass a



reasoned and a speaking order, within a period of six weeks, thereafter.

4. It is made clear that in case, any amount is found outstanding and due for payment as a consequence of grant of the benefits of the assured career progression scheme, the same would also be paid during the same time frame.

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

(Mohit Kumar Shah, J)

Ajay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	17.8.2023
Transmission Date	NA

