

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16030 of 2015

Dr. Kamla Kant Jha S/o late Ram Autar Jha Resident of Mohalla- Rajopatti
,Nagar Kargil Chowk Custom Office, P.O. Sitamarhi, Ps. Sitamarhi Distt
Sitamarhi.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The Principal Secretary, Deptt. of Health Govt. of Bihar Patna.
3. The Development Commissioner ,Govt. of Bihar Patna.
4. The Under Secretary, Deptt of Health Govt. of Bihar Patna.
5. The Director, Health Indigeous Bihar Patna.
6. The District Indigious Medical Officer, Sitamarhi.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Sunil Kumar Verma, Advocate
For the State	:	Mr. Sarvesh Kumar Singh, AAG-13
		Mrs. Sunita Kumari, AC to AAG-13

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 04-10-2023 1. The present writ petition has been filed seeking the
following relief:-

“That the Petitioner by way of the instant writ application prays for the issuance of a writ in the nature of Mandamus commanding the Respondent Authority / Authorities to grant and sanction the benefits of Assured Career Progression Scheme (ACP) forthwith in terms of the ACP Rules, 2003/Modified/Dynamic ACP Rules in favour of the Petitioner in view of gross and arbitrary denial of regular promotion or financial progression during the entire career span commencing from the first appointment under the Zila Parishad, Gaya



dated 12.06.80 till his superannuation dated 30.04.15 from the post of Ayurvedic Medical Officer under the Tariyani Block in the district of Sheohar.”

2. At the outset, the learned counsel for the respondent-State has submitted, by referring to paragraph no.10 of the counter affidavit, filed by the respondent no.6 that the petitioner has already been given the financial benefits on account of grant of benefits of ACP / MACP / DACP, hence the present writ petition has been rendered infructuous.

3. In view of the aforesaid, the learned counsel for the petitioner submits that in case the petitioner has already been granted the aforesaid benefits, he is not having any subsisting grievance, however, he be granted liberty to approach the respondent authorities in case of any subsisting grievance.

4. Liberty so sought is granted.

5. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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