

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17871 of 2015

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Murali Manohar Lall Son of late Jagdamb Lall Resident of Mohalla- Maula Bagh, Police Station-Ara, District Bhojpur at Ara.

... .. Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary-cum-Commissioner Co-operative Society, Bihar, Patna.
2. The Registrar, Co-operative society Bihar Patna.
3. The Joint Registrar, Co-operative Societies, Patna Division, Patna.
4. The Accountant General, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Satya Prakash Abhishek, Advocate
For the Respondent/s	:	Mr.Madhukar Mishra, AC to SC 16
For A.G. Bihar	:	Mr. Chaitanya Swaroop, Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 21-09-2023 1. The present petition has been filed seeking the following reliefs :-

“(i) For issuance of a writ in the nature of mandamus or any other appropriate writ for directing the respondent authorities to grant second time bound promotion from 01.04.1991 and benefit of ACP with effect from 09.08.1991 to the petitioner after exempting from passing the accounts examinations.

(ii) For issuance of a writ in the nature of certiorari or any other appropriate writ for quashing the letter contained in letter no 953 dated 15.03.2012 issued under signature of the Registrar, Cooperative Societies, Bihar,



whereby the representation of the petitioner in pursuance of order passed in CWJC NO 5975 of 2010, has been rejected because he has not mentioned any example who have been granted benefit of time bond promotion & ACP without passing departmental examination.

(iii) For issuance of a writ in the nature of certiorari or any other appropriate writ for quashing the letter contained in letter no 716 dated 03.02.2014 issued under signature of the Registrar, Cooperative Societies, Bihar, whereby the fresh representation of the of the Registrar, Cooperative petitioner dated 10.09.2013 mentioning example in view of order passed in CWJC No. 5975 of 2010, has been rejected.

(iv) For holding that the petitioner is entitled for exemption from passing the Account Examination in view of the circular issued by State of Bihar contained in letter no 4674 dated 15.05.1992 by which a decision has been taken to provide benefit of exemption from passing the departmental examination to the employees who have been attained 50 years age and regularly tried for passing examination but failed, or does not attained examination due to Government reason or prior five years from completing 50 years age, departmental examination has not been



conducted.

(v) For holding that the petitioner is entitled for grant of second time bound promotion and benefit of ACP in view of the order passed in CWJC No. 5975 of 2010 as the widow of the similarly situated employ late Sabbir Khan has been granted aforesaid benefit of time bound promotion & ACP without passing account examination by virtue of orders passed in CWJC No. 10194 of 2004 & LPA No. 1315 of 2005.“

2. Considering the prayer made in the present petition, I deem it fit and appropriate to grant liberty to the petitioner to avail such other remedies, as are otherwise available under the law.

3. The writ petition stands disposed off, however with the aforesaid liberty.

(Mohit Kumar Shah, J)

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