

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23513 of 2013

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Brahmeshwar Pandey Son Of Late Sheo Pukar Pandey Resident Of Village-
Barah, P.S.- Chakpokhari, District- Bhojpur

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Department Of Education, Govt. Of Bihar
3. The Director, Secondary Education, Govt. Of Bihar
4. The Regional Deputy Director Of Education, Bhojpur At Arrah
5. The District Superintendent Of Education, Bhojpur At Arrah
6. The Accountant General Of Bihar, Birchand Patel Path, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Prabhu Nath Pathak, Adv.
For the Respondent/s : Mr. U.P.Singh, AC to SC-11

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-06-2023 The present writ petition has been filed seeking the
following relief:-

“1. That by this application, the petitioner is invoking the writ jurisdiction of this Hon'ble Court in the nature of mandamus for directing the respondent Regional Deputy Director of Education, Patna Division, Patna to consider 1st A.C.P. (Assured Career Progression) in the pay scale of Rs. 5000-8000/- on completion of 12 years and 2nd A.C.P. in the pay scale of Rs. 5500-9000/- on completion of 24 years of regular service w.e.f. 09.08.1999 which was denied on false pretext of non entry of passing the departmental examination in the service book as is evident from the letter No. 380 dated



10.12.2009 issued by the Regional Deputy Director of Education, Patna Division, Patna as contained in Annexure-7.

However, the Petitioner has already passed Departmental Accounts Examination on 25.06.1979 (Annexure-3) although Stenographer Typist/Steno Clerk were exempted from passing the Departmental Accounts Examination w.e.f. 01.04.1981 vide letter dated 13.04.1987 issued by the Board of Revenue, Govt. of Bihar as contained in Annexure-4.”

At the outset, the learned counsel for the deceased petitioner has submitted that the petitioner has died during the interregnum period, hence, in case of any subsisting grievances, his legal heirs be granted liberty to approach the respondent authorities for redressal of the aforesaid grievances. Liberty, so sought, is granted.

It is needless to state that in case, the legal heirs of the deceased petitioner approach the respondent authorities by filing appropriate representation for redressal of their aforesaid grievances, within a period of four weeks from today, the same shall be disposed off, in accordance with law, by passing a reasoned and a speaking order within a period of eight weeks, thereafter.



The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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