

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22545 of 2011

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DHARMENDRA KUMAR, Son Of Ram Nandan Singh, Resident Of Village Mahthwar, P.O. Barah, P.S. Harnaut, District Nalanda, At Present Working As An Assistant In The Office Of The Zila Parishad Nalanda, Biharsharif.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR, through its Chief Secretary, Bihar, Patna.
2. The Secretary, Panchayat Raj Department, Bihar, Patna.
3. The Deputy Secretary, Panchayati Raj Department, Bihar, Patna.
4. The Director, Panchayat Raj Department, Bihar, Patna.
5. The Joint Director Cum Joint Commissioner, Panchayati Raj Department, Bihar, Patna.
6. The Deputy Development Commissioner-Cum-Chief Executive Officer, Zila Parishad Nalanda, Biharsharif
7. The Zila Parishad Nalanda Through Its Chief Executive Officer, Nalanda, Biharsharif.

... .. Respondent/s

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Appearance :

For the Petitioner	:	Mr. Kaushalesh Choudhary, Advocate
For the State	:	Mr. S. K. Singh, AC to AAG13

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 23-02-2023 Heard learned counsel for the petitioner and learned counsel for the State.

2. The petitioner's claim for exemption from passing Accountant Examination (Rural) under communication dated 10.07.2007 issued by the Deputy Director-cum-Deputy Secretary in the Panchayati Raj Department, Government of Bihar, was rejected on 12.05.2011 by holding that he did not have the requisite qualifications for exemption.

3. Learned counsel for the petitioner submits that now the petitioner has crossed the age of 50 years and is actually



discharging duties of the higher posts, on which he is seeking promotion by granting him exemption, being the post of “Accountant-cum-Head Clerk” and, therefore, in view of the changed circumstances, his claim now is liable to be considered for exemption, in terms of the State Government’s communication dated 10.07.2007. He submits that he would be approaching the Authorities by representing for the same within two weeks.

4. If such application is filed before the The Deputy Development Commissioner-Cum-Chief Executive Officer (Respondent No. 6), then the Respondent No. 6 should take a decision on the same expeditiously and preferably within three months.

5. Writ petition is accordingly disposed of.

(Madhuresh Prasad, J)

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