

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7956 of 2024

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Rana Pratap Singh Son of Shri Kuldeep Singh Resident of Village- Parhrahi,
P.O.-Pogar, P.S.- Rafiganj, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Chief Minister's Secretariat, Government of Bihar, Patna.
3. The Principal Secretary, Department of General Administration, Government of Bihar, Patna.
4. The Principal Secretary, Department of Finance, Government of Bihar, Patna.
5. The In-charge Officer, Finance (D and C) Department, Government of Bihar, Patna.
6. The Additional Chief Secretary, Vigilance Department, Government of Bihar, Patna.
7. The Additional Chief Secretary, Revenue Council, Government of Bihar, Patna.
8. The Secretary, Revenue Council-cum-Central Examination Committee, Government of Bihar, Patna.
9. The Hon'ble Minister, Department of Agriculture, Government of Bihar, Patna.
10. The Secretary, Department of Agriculture, Government of Bihar, Patna.
11. The Special Secretary, Department of Agriculture, Government of Bihar, Patna.
12. The Joint Secretary, Department of Agriculture, Government of Bihar, Patna.
13. The Deputy Secretary, Department of Agriculture, Government of Bihar, Patna.
14. The Officer on Special Duty, Department of Agriculture, Government of Bihar, Patna.
15. The Under Secretary, Department of Agriculture, Government of Bihar, Patna.
16. The Agricultural Director, Department of Agriculture, Government of Bihar, Patna.
17. The Deputy Director (Administration) Department of Agriculture, Government of Bihar, Patna.
18. The Joint Director, Plant Protection, Department of Agriculture, Government of Bihar, Patna.
19. The District Agriculture Officer, Government of Bihar, Patna.
20. The Assistant Director, Plant Protection, Department of Agriculture, District-



Patna.

- 21. The Senior Treasury Officer, Secretariat Treasury, Vikash Bhawan, Patna.
- 22. The Joint Director (Shashya) Department of Agriculture, Government of Bihar, Patna Division, Patna.
- 23. The Principal Accountant General (A and E), Office of Accountant General, Bihar, Patna.
- 24. Dr. Pramod Kumar Son of Late Ramswaroop Sah Resident of Village- Rahamtpur, P.S.- Asarganj, District- Munger presently posted as Joint Director, Plant Protection, Department of Agriculture, Government of Bihar, Patna.
- 25. Sri Vinay Kumar Singh Son of Late Din Dayal Singh, Resident of Village- Abhaypura, P.O. and P.S.- Sandesh, District- Bhojpur (Ara) presently retired Joint Director, Plant Protection, Department of Agriculture, Government of Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra, Advocate
For the Respondent/s : Mr. Dr. Anand Kumar, Advocate
Mr. Rajan Prakash, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 15-07-2024 The present writ petition has been filed seeking the following reliefs:-

"i) To issue a writ of mandamus, commanding and directing the Respondent authority concerned to recover the excess amount illegally paid to the Private Respondent No.25 namely Sri Vinay Kumar (retired Assistant Director, Plant Protection, Department of Agriculture, Bihar, Patna) which was illegally and arbitrarily paid to him by way of increasing his annual salary since 01.07.2011 to 01.07.2023 even though he was/is not entitled for the same.



ii) To issue appropriate order/direction to the Respondent authority concerned, to initiate a departmental proceeding against the erring person/authority i.e. Respondent No.18-cum-Private Respondent No.24 who has whimsically provided illegal monetary benefits to the Respondent No.20-cum-Private Respondent No.25 namely Vinay Kumar Singh by way of providing him annual increments in his salary since 01.07.2011 to 01.07.2023 and to take suitable legal action against them government/public money. for misusing the

iii) Further to issue appropriate order and direction to the Respondent authority concerned, to enquire into the matter that how the Respondent No.18-cum- Private Respondent No.24 submitted his recommendation vide letter No.330 dated 19.04.2023 to the Respondent No.16 for granting the 3rd MACP benefits to the Respondent No.20-cum-Private Respondent No.25, despite the fact that the Respondent No.20-cum-Private Respondent No.25 has not passed the departmental examination, but he got the monetary benefits of 3rd MACP on the basis of illegal recommendation made by the Respondent No.18 and to take appropriate departmental/legal action against them i.e.



Respondent No.18-cum-Private respondent No.24 as well as against the Respondent No.20-cum-Private Respondent No.25 namely Vinay Kumar Singh who without having his entitlement got the huge monetary benefits by way of misrepresenting and misutilizing their official powers."

2. At the outset, the learned counsel for the petitioner seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioner to approach the respondent-authorities for redressal of his aforesaid grievances. Liberty, so sought, is granted.

3. The writ petition stands dismissed.

(Mohit Kumar Shah, J)

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