

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1844 of 2015

Parwati Devi Wife of Sri Baidyanath Chaudhary, Resident of West Jai
Prakash Nagar, P.S - Jakkanpur, District - Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar through Director-in-Chief, Health Services, Government of Bihar, Patna
2. The Civil Surgeon, Arwal.
3. The Incharge Medical Officer, Primary Health Center, Kaler, Arwal
4. The District Provident Fund Officer, Jehanabad.
5. The Accountant General Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Mithilesh Kumar Upadhyay, Advocate
For the Respondent/s : Mr. Sarvesh Kumar Singh, AAG 13
Mr. Arya Achint, AC to AAG 13

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 19-08-2024 Petitioner has *inter alia* prayed for following reliefs in
the paragraphs No.1 of the writ petition:-

*“That this writ application is being filed for
a direction to authorities to grant benefits of all Assured
Career Progressions in short ACP to the petitioner,
which she is entitled to be given and thereafter be
pleased to direct respondents to fix the pension in revised
scale and to make payment of arrears of pension, current
pension, arrears of salaries, revised gratuity, General
provident Fund amount, leave salary and other
consequential benefits with statutory interest to the
petitioner and/or any other order/orders may be passed
in the facts and circumstances of the case.”*

2. During pendency of the writ petition, the Apex
Court in the case of ***Amresh Kumar Sinha & Ors. v. The State***



of Bihar & Ors. (SLP (C) Nos. 8219-8226 of 2016) has held that grant of benefit of ACP/MACP is by way of financial progression and the same will not amount to giving regular promotion to the employee and later on the same was clarified by the Full Bench of this Court in case of *Kamlanand Thakur vs. State of Bihar & Ors. (C.W.J.C. No. 18727 of 2017)* and other analogous cases. As such, the petitioner, who has already superannuated, if so advise, may file a detailed representation before the appropriate authority to consider her case in light of the law laid down by the Apex Court in the case of *Amresh Kumar Sinha (Supra)* and the Full Bench of this Court in the case of *Kamlanand Thakur (Supra)*.

3. The writ petition is, accordingly, disposed of.

(Purnendu Singh, J)

Sanjay/-

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