

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13566 of 2017

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1. Ajit Kumar Singh, Son of Bhim Singh, Resident of Bharasara, Judge, P.S.- Bihiya, District- Bhojpur, presently posted as Secretary, District Legal Services Authority, Jamui. The Secretary, Bihar Judicial Services Association, Patna, Bihar.
 2. Anand Bhushan, Son of Kanhaiya Pandey, resident of Village- Pakdi, P.S. Rajpur, District- Rohtas Presently posted as Administrative Officer, Bihar Judicial Academy, Gaighat, Patna City, Patna.
 3. Ashotosh Kethan, Son of Anil Khetan, resident of Arhat Road, Daltonganj, P.S. Daltonganj, District- Daltonganj (Jharkhand) presently posted as Sub Judge-cum-A.C.J.M. Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Personnel and Administrative Reforms, Government of Bihar, Patna
2. The Deputy Secretary, Department of General Administration, Government of Bihar, Patna.
3. The Principal Secretary, Department of General Administration, Government of Bihar, Patna.
4. The Patna High Court, through the Registrar General, Patna High Court.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Saket Tiwary, Advocate Mr. Abhishek Singh, Advocate Mr. Sanjeev Kumar Dubey, Advocate
For the State	:	Mr. P.K. Verma, AAG-3 Mr. Sanjay Kumar Ghosarvey, AC to AAG-3
For the High Court	:	Mr. Piyush Lall, Advocate



CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 23-04-2024

Petitioners' grievance is substantially redressed in so far as the Judicial Officers who acquired the LLM Degree prior to their appointment and even in-service are entitled to three advance increments. In so far as in-service candidates who acquired LLM Degree while in service, they would get the three increments from the date of acquisition of qualification.

2. Learned Counsel for the petitioners submits that there is one other grievance of the petitioners that this would remain a fixed amount for the entire period of service. Learned Counsel also refers to a judgment of the Hon'ble Supreme Court in *Writ Petition (Civil) No. 643 of 2015; All India Judges Association v. Union of India & Ors.* wherein it was held that there is no justification for denying the benefit of advance increment at the ACP stage. There is no contention raised as to any such denial of benefit at the ACP stage in the present case. In so far as the fixed amount for the entire period of service, the three increments would definitely carry Dearness Allowance and the further yearly increments would also be added on.

3. We do not think that there is any prejudice in so far



as the direction that it would be a fixed amount for the entire period of service.

4. The writ petition hence is closed as infructuous.

(K. Vinod Chandran, CJ)

(Harish Kumar, J)

P.K.P./-

AFR/NAFR	
CAV DATE	
Uploading Date	23.04.2024
Transmission Date	

