

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16060 of 2021

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Rajendra Prasad Singh son of Late Ramshaaran Singh resident of Road No. 3, New Area Chitaur Nagar, Suhi Bhawan, Ward No.12, Aurangabad, P.O. and P.S. Aurangabad, District- Aurangabad, the retired Senior Accounts Clerk, Rural Works Department, Work Circle, Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Finance Secretary, Finance Department, Government of Bihar, Patna.
3. The Secretary (Expenditure), Finance Department, Government of Bihar, Patna.
4. The Principal Secretary, Rural Works Department, Government of Bihar, Patna.
5. The Engineer-in- Chief-cum- Additional Secretary-cum- Special Secretary, Rural Works Department, Government of Bihar, Patna.
6. The Superintending Engineer, Rural Works Department, Works Circle, Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. S.B.K. Mangalam, Advocate Mr.Awnish Kumar, Advocate
For the Respondent/s	:	Mr.P.N. Shahi (AAG-6) Mr. Sanjeet Kumar Singh, AC to AAG-6

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-01-2024 The present writ petition has been filed
seeking the following reliefs:-

“1.(I) For issuance of an appropriate writ in the nature of MANDAMUS, commanding and directing the Respondent Authorities for grant of pay-scale of Accounts Officer Grade to the petitioner by way of benefits of first Assured Career Promotion



(hereinafter referred to as ACP) with effect from 09.08.1999 and its corresponding pay-scale in view of the letter of the Finance Department contained in memo no.3111 dated 25.03.2015 read with the provisions contained under the Bihar State Employees Service Condition (Assured Career Progression Scheme) Rules, 2003 (hereinafter referred to as ACP Rules, 2003) amended by the Bihar State Employees Service Condition (Assured Career Progression Scheme) Amendment Rules, 2007 issued under memo no. 769 dated 28.01.2008.

(II) For issuance of an appropriate writ in the nature of MANDAMUS, commanding and directing the Respondent Authorities for payment of the aforesaid amount with interest as also for payment of retiral benefits of the petitioner on the basis of revised scale of pay for which the writ petitioner would be entitled if the relief as prayed for in paragraph no.1 (i) of this writ petition is granted to him.”



2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Principal Secretary, Rural Works Department, Government of Bihar, Patna i.e. the respondent no. 4 for redressal of his aforesaid grievances. Liberty, so sought, is granted.

3. It is needless to state that in case the petitioner approaches the Principal Secretary, Rural Works Department, Government of Bihar, Patna i.e. the respondent no. 4, by filing appropriate representation, within a period of two weeks from today, the same shall be disposed off by a reasoned and a speaking order, in accordance with law, within a period of six weeks, thereafter.

4. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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