

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.10824 of 2024**

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Jayram Thakur Son of late Ram Muni Thakur, Resident of Mission Road, Pakari, Muhalla- Maulabagh, Ara, Police Station- Nawada, Distt. Bhojpur(Ara), Bihar, Pin- 802301.

... .. Petitioner/s

Versus

1. The State of Bihar Additional Principal Secretary Department of Finance, Government of Bihar, Patna.
2. The Joint Secretary Department of Finance Government of Bihar, Patna.
3. The Senior Account Officer, Office of the Accountant General (A and E) Bihar Mahalekhar Bhawan, Birchand Patel Path, Patna- 800001
4. The District Magistrate, Bhojpur at Ara.
5. The District Panchayat Officer, Bhojpur at Ara.
6. The Block Development Officer, Udwant Nagar, District- Bhojpur at Ara.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s | : | Mr. Dhanesh Shankar Vidyarthi, Advocate |
| For the State        | : | Ms. Dimpal Kumari, AC to GP-11          |
| For the A.G.         | : | Mr. Bindhyachal Rai, Advocate           |

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**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

2      22-07-2024                      Heard Mr. Dhanesh Shankar Vidyarthi, learned counsel appearing on behalf of the petitioner; Ms. Dimpal Kumari, learned AC to GP-11 appearing on behalf of the State and Mr. Bindhyachal Rai, learned counsel for the Accountant General, Bihar.

2. The petitioner in paragraph no. 1 of the present writ petition has sought *inter alia* following relief(s), which is reproduced hereinafter:

*"1. That this is an application for a writ in the nature of mandamus directing and commanding to the respondent authorities especially to the respondent no. 04 and 05*



*to redress the claim regarding assured career progression scheme i.e. ACP-I & ACP-II which is due with the department and not given the same without any valid reason the petitioner has joined on 14.06.1996 on the post of Panchayat Secretary Bhojpur District worked on the said post in different Panchayats of the District and retired from the service on 31.01.2019 from Block Yduvant Nagar and further be pleased to issue a direction to the respondent No. 04 to dispose of the claim of petitioner expeditiously in the light of the order passed in a similar case bearing C.W.J.C. No. 9093 of 2019 dated 30.05.2019 for that entitlement of the petitioner is legal and legitimate."*

3. Learned counsel appearing on behalf of the petitioner submitted that the petitioner had retired from the post of Panchayat Secretary on 31.01.2019, however, the pension of the petitioner was not fixed after giving the benefit of 1st and 2nd A.C.P. Petitioner claims that similarly situated Panchayat Secretaries have been given the benefit from their due date of eligibility and seeks to file a detailed representation before the District Magistrate-cum-Collector, Bhojpur at Ara, in light of the law laid down by the Apex Court in case of ***Amresh Kumar Singh & Ors. Vs. The State of Bihar & Ors.*** reported in ***2023 SCC OnLine SC 496*** and the recent judgment dated 28.06.2024 of the Hon'ble Full Bench of this Court passed in ***CWJC No. 18727 of 2017 (Kamlanand Thakur Vs. The State of Bihar)*** and other analogous matter.

4. The District Magistrate-cum-Collector, Bhojpur at Ara, is directed to consider the case of the petitioner in light of the law laid down by the Apex Court in case of ***Amresh Kumar***



*Singh & Ors. Vs. The State of Bihar & Ors.* reported in **2023 SCC OnLine SC 496** and the recent judgment dated 28.06.2024 of the Hon'ble Full Bench of this Court passed in **CWJC No. 18727 of 2017 (Kamlanand Thakur Vs. The State of Bihar)** and other analogous matter and dispose of the representation filed on behalf of the petitioner within a period of six weeks from the date of communication of this order.

5. With the above observation/direction, the present writ petition stands disposed of.

**(Purnendu Singh, J)**

Niraj/-

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