

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12657 of 2024

Arvind Kumar Sinha, Son of Late Achyutanand Lal, Resident of Village and P.O.- Dir, P.S.- Nemdarganj, District- Nawada, Presently resided at Mohalla- Bhadauni, Behind Bajaj Showroom, P.S.- Nawada (Town), District- Nawada, Pin Code- 805112.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Law Department, Bihar, Patna.
2. The Special Secretary, Law Department, Bihar, Patna.
3. The Under Secretary, Law Department, Bihar, Patna.
4. The District Judge, Civil Court, Nawada in its Administrative Capacity.
5. The Drawing and Disabusing Officer, Civil Court, Nawada.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Singh, Advocate.
For the Respondent/s : Mr.Standing Counsel (5)

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 27-08-2024 Heard Mr. Chandra Mohan Singh, learned counsel appearing on behalf of the petitioner and learned SC-5 for the State.

2. Learned counsel appearing on behalf of the petitioner informs this Court that the petitioner had retired on 31.12.2015 from the post of Siristedar while he was posted at Nawada Civil Court. He further submits that petitioner's pension has not been fixed after giving benefit of 2nd ACP and 3rd MACP from its effective date.

3. Learned counsel further submitted that the law as on date is well settled by the Apex Court in this regard in the case of **Amresh Kumar Sinha & Ors. v. The State of Bihar & Ors.**, reported in **2023 SCC Online SC 496** and later on 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).

4. Considering the aforesaid submission made on behalf of the petitioner, the respondent no.4 (The District Judge, Nawada) is required to call for the service particulars of the petitioner and verify, as to whether any disciplinary action was taken against the petitioner and decide the grievance of the petitioner expeditiously, 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)**.

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

(Purnendu Singh, J)

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