

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12354 of 2024

Savitri Devi Wife of Ashwani Kumar Srivastav, Resident of Ward 11, Adarshnagar, Rajopatti, Chakmahila, Dumra, P.S.- Mehsoul OP, District-Sitamarhi- 843302.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Additional Chief Secretary, Finance Department, Government of Bihar, Patna.
3. The Additional Chief Secretary, Public Health and Engineering Department (PHED), Government of Bihar, Patna.
4. The Deputy Secretary, Public Health and Engineering Department (PHED), Government of Bihar, Patna.
5. The Chief Engineer, Public Health and Engineering Department (PHED), Bihar, Patna.
6. The Executive Engineer, Public Health and Engineering Division (PHED), Dhaka, East Champaran.
7. The Accountant General (A and E), Bihar, Mahalekhakar Bhawan, Birchand Patel Path, Patna- 800001.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Kumar Amit, Adv
For the Respondent/s : Mr.Additional Advocate General (5)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 20-08-2024 Heard learned counsel for the petitioner and learned counsel for the State.

2. The present writ application has been filed for direction to the respondent to extend the benefit of judgment dated 25.04.2023 passed by Hon’ble Apex Court as contained in Annexure-6 by revising 1st, 2nd ACP and 3rd MACP to the petitioner in the basic grade of Accounts Officer further to grant relief to the petitioner as has been grated to the petitioners of



C.W.J.C. No. 19442/2016 which has been upheld by the Apex Court vide order dated 25.04.2023 passed in S.L.P. (C) No. 8219-8226 of 2019 in view of the Bihar Litigation Policy and to declare that Resolution No. 163 dated 08.01.2016 of the Finance Department whereby ACP as per Bihar Accounts Rules, 2000 was given only to those employee who were graduate, to be bad and unsustainable in the light of the judgment dated 25.04.2023 passed in SLP (C) No. 8219 of 2019.

3. Counsel for the petitioner submits that the petitioner has filed representation vide Annexure-P/8 but no order has been passed till date.

4. Counsel for the State submits that petitioner be directed to file a fresh representation before Respondent No. 2 i.e. Additional Chief Secretary, Finance Department, Government of Bihar, Patna and time may be granted to the Respondent No. 2 to pass order on the representation of the petitioner.

5. Accordingly, the present writ petition is disposed off directing the petitioner to file a fresh representation before Respondent No. 2 (the Additional Chief Secretary, Finance Department, Government of Bihar, Patna) within 30 days from today and Respondent No. 2 is directed to pass a reasoned and



speaking order on the representation filed by the petitioner within 90 days, thereafter from the date of receipt/production of a copy of this order.

(Dr. Anshuman, J)

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