

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12600 of 2024

Devanti Devi @ Dewanti Devi, Wife of Late Jay Narayan Ray, Resident of village- West Balua, P.O.- Kanshdier, P.S.- Doriganj, District- Saran (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Revenue Department, Govt. of Bihar, Patna.
2. The Additional Chief Secretary, Revenue Department, Govt. of Bihar, Patna.
3. The Additional Chief Secretary, Panchayat Raj Department, Govt. of Bihar, Patna.
4. The Deputy Secretary, Panchayat Raj Department, Govt. of Bihar, Patna.
5. The District Magistrate, Saran at Chapra.
6. The District Panchayat Raj Officer, Saran at Chapra.
7. The Block Development Officer, Block- Dariyapur, District- Saran at Chapra.
8. The Principle Accountant General (A and E), Bihar, Patna.
9. The Treasury Officer, Saran (Chapra), Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Shailendra Kumar, Advocate
For the AG (Bihar)	:	Mr.Arun Kumar Arun, Advocate
For the Respondent/s	:	Mr.Dhurendra Kumar, AC to GP 5

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 27-08-2024 Heard Mr. Shailendra Kumar, learned counsel appearing on behalf of the petitioner; Mr. Arun Kumar Arun, learned counsel for the Accountant General (Bihar) and Mr. Dhurendra Kumar, learned counsel for the Respondents/State.

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

“That this is an application for issuance of an



appropriate writ/writs, order/orders, direction/directions for commanding the respondents to pay of arrear amount after granting of 1st and 2nd ACP (Assured Career Progression) of the husband (Late Jay Narayan Ray, retired Panchaiyat Secretary) of the petitioner which has been dues from 09.08.1999 and other consequential allowances in different heads including retiral benefits amount with interest as given to the employees of State of Bihar and to grant any other relief or reliefs for which the petitioner is legally entitled.”

4. Learned counsel appearing on behalf of the petitioner informs this Court that the petitioner had retired on 31.12.2012 from the post of Panchayat Secretary while he was posted in the office of the Block Development Officer, Block Dariyapur, District- Saran.

5. Learned counsel further submitted that the petitioner's pension has not been fixed after giving benefit of First ACP and the Second ACP from its effective date.

6. 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)**.

7. Considering the aforesaid submission made on



behalf of the petitioner, the respondent no.5 (The District Magistrate, Saran at Chapra) 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)**.

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

(Purnendu Singh, J)

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