

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9807 of 2012

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SHRI BISHWA NATH YADAV S/O Late Bihari Prasad Yadav Resident Of
Village - Radhanagar, P.O. - Kishanpur Amkhorla, P.S. - Shahkunda, District
Bhagalpur Bihar

... .. Petitioner/s

Versus

1. The Union Of India through, the Secretary, Department of Home Affairs,
Government of India.
2. The Secretary, Department Of Home Ministry Government Of India.
3. The Director General, Industrial Security Force Ministry Of Home Affairs,
Block No. -13, Lodhi Road.
4. The Group Commandant, Central Industrial Security Force, Group Centre
(mukhyalay), Patna
5. The Deputy-Commandant, Central Industrial Security Force, I.O.C. Unit,
Barauni

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Ranjan, Advocate
For the U.O.I. : Mr. Vandana Kishore, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL JUDGMENT

Date : 01-04-2024

Heard Mr. Rakesh Kumar Ranjan, learned counsel
for the petitioner and Mr. Vandana Kishore, learned counsel
appearing on behalf of the Union of India.

2. The present writ petition has been filed for
quashing the order dated 04.01.2011 by which the claim of the
benefits under modified Assured Career Progression Scheme
has been denied and consequent thereof to grant/fix the second
financial up-gradation from 01.05.2004 with all admissible dues
including the monetary benefit which has been recovered from



the petitioner's salary on account of postponed second financial up-gradation.

3. Learned counsel for the petitioner submits that the petitioner was initially appointed on the post of G.D. in C.I.S.F. on 01.05.1980 and got retired from the post of A.S.I. on 30.04.2011 without any adverse remarks. After completion of 24 years of service on 01.05.2004, the petitioner was entitled to avail the benefit of second financial up-gradation (ACP) under the Assured Career Progression Scheme for the Central Government Civilian Employees, 2009. Due to his illness, the petitioner was not in a position to participate in the said training course and one of the contention for the second ACP for the petitioner that he should participate in the training and pass the training course. After ten years the petitioner was ready to participate in the training course and he was qualified the same on 14.11.2006 and accordingly the petitioner was granted the benefits of second ACP on 29.01.2007 and accordingly he had been granted the financial upgradation.

4. Learned counsel for the Union of India filed a counter affidavit as well as supplementary counter affidavit stating therein that according to the Rule after completion of the training course, the petitioner has been granted benefit of the



second ACP and he has also been given third financial up-gradation w.e.f. 01.05.2010 and accordingly Rs. 30,162 /- was issued in the account of the petitioner and it appears that the grievance of the petitioner has been redressed.

5. In view of the aforesaid, it appears that the grievance of the petitioner has been redressed. Therefore, no interference by this Court in the present matter. Accordingly, the present writ petition is disposed of.

(Rajesh Kumar Verma, J)

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AFR/NAFR	NAFR
CAV DATE	NA
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