

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1316 of 2023

In
Civil Writ Jurisdiction Case No.8692 of 2022

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1. The State of Bihar through the Chief Secretary, Road Construction Department, Government of Bihar, Patna.
 2. The Chief Engineer, Road Construction Department, Muzaffarpur.
 3. The Superintending Engineer, Road Construction Department, North Bihar Circle, Muzaffarpur.
 4. The Executive Engineer, Road Construction Division, Sheohar.

... .. Appellant/s

Versus

Jainath Mishra S/o-Bholanath Mishra Resident of Village-Mathuradih, Ward No. 12, Thurki Khararo, Muzaffarpur, Turki Khararo, Bihar-843165.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Sanjay Kumar (A.C. to G.A.13)
For the Respondent/s	:	Ms. Roona, Advocate
		Mr. Pratiyush Kumar, Advocate
		Ms. Y. Madhavi, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

5 01-10-2024 The question arising is whether the Assured Carrier Progression (ACP) Scheme has to be implemented only after the qualification in an examination or when the period specified has expired.

2. The Full Bench of this Court in **Kamlanand Thakur vs. State of Bihar & Ors; 2024 (4) BLJ 806 (FB)** has held that it has to go by the terms served in the post.

3. In such circumstances, the appeal is rendered



unmeritorious and the same stands dismissed.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

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