

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4670 of 2025

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Ram Anup Thakur S/o Late Neva Thakur, Resident of Village - Machhahi,
P.S. - Sakra, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Patna.
2. The Director, Higher Secondary Education, Bihar, Patna.
3. The Vice-Chancellor, B.R.A. Bihar University, Muzaffarpur.
4. The Registrar, B.R.A. Bihar University, Muzaffarpur.
5. The Finance Officer, B.R.A. Bihar University, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Tejendra Sinha, Advocate Mr. Bijay Kr. Pandey, Advocate
For the Respondent/s	:	Mr. Binod Kr. Yadav, SC (18)
For the University	:	Mr. Bindhyachal Rai, Advocate Mr. Sunil Kumar Karn, Advocate

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-03-2025 Heard Mr. Tejendra Sinha, along with Mr. Bijay Kr. Pandey, learned counsels appearing on behalf of the petitioner; Mr. Binod Kr. Yadav, learned SC (18) for the State and Bindhyachal Rai, along with Mr. Sunil Kumar Karn, learned counsels appearing on behalf of the B.R.A. Bihar University.

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

“ (i) For issuance of an appropriate writ/writs in the nature of mandamus commanding and directing the respondents to grant the benefit of ACP/MACP to the petitioner, retired Upper Division Clerk, from the office of respondent no.



3 i.e., Vice-Chancellor, B.R.A. Bihar University, on 31.01.2007.

(ii) For issuance of an appropriate direction to the respondents to re- revise the pension of the petitioner and pay him arrears of difference amount after granting him the benefit of ACP/MACP.

(iii) For a direction to the respondents to pay the difference amount of ACP/MACP with reasonable interest.

(iv) Further, for a direction to the respondents to dispose of the representations filed by the petitioner on 27.11.2021 and 29.07.2022.

That this Hon'ble Court on 28.06.2024 the Full Bench of this Hon'ble High Court in C.W.J.C. No. 18727/2017, along with other cases, held that there is no need of passing departmental examinations or acquiring any Additional educational qualification for promotion, even then the respondents have not paid the benefit of ACP to the petitioner.

(v) Further, for any other reliefs in the facts and circumstances of the case.”

3. Learned counsel appearing on behalf of the petitioner seeks to avail remedy before the Registrar of the University for consideration of relief(s) of the petitioner, as prayed for in the present writ petition.

4. Considering the aforesaid submission, the petitioner may avail remedy before the Registrar of the University, who will consider the case of the petitioner, in accordance with the decision and directives contained in Memo no.B1558 dated 14.07.2014 (Annexure-1).

5. Accordingly the present writ petition stands disposed of.



6. It is made clear, that this Court has not taken into consideration, as to whether, the writ petition is maintainable or not, in view of the long delay by the petitioner in approaching this Court.

(Purnendu Singh, J)

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