

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.204 of 2024

In
Civil Writ Jurisdiction Case No.14016 of 2012

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Ram Bhajan Singh, Son of Late Bihari Singh, Resident of Village- Ramdiha,
Police Station- Buxar(M), District- Buxar.

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Road Construction Department, Bihar, Patna.
2. The Principal Secretary, Road Construction Department, Bihar, Patna.
3. The Chief Engineer, South Bihar Wing, Road Construction Department, Bihar, Patna.
4. The Superintending Engineer, Bhojpur Road Circle, Ara.
5. The Treasury Officer, Bhojpur.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Anil Kumar Singh, Advocate
For the Respondent/s : Mr.Government Advocate 13

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ALOK KUMAR SINHA

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 16-10-2025

Short question for consideration in the present *lis* is whether appellant is entitled to have the benefit of ACP in the absence of passing departmental examination or not.

2. The present matter is covered by Full Bench decision dated 28.06.2024 passed in ***CWJC No. 18727 of 2017*** [***Kamlanand Thakur Vs. The State of Bihar & Ors***] and other analogous matters. Accordingly, the appellant has made out a case so as to interfere with the order of the learned Single Judge.



3. Accordingly, the impugned order dated 30.01.2024 passed by the learned Single Judge in CWJC No. 14016 of 2012 stands set aside. The concerned respondent is hereby directed to re-visit in respect of appellant’s claim for extending the benefit of ACP in the light of Full Bench decision. The same shall be examined with reference to the service particulars of the appellant and respondents shall proceed to pass a detailed order and communicate the same to the appellant within a period of three months.

4. The LPA is allowed.

5. Pending I.A.(s), if any, stands disposed of.

(P. B. Bajanthri, CJ)

(Alok Kumar Sinha, J)

P.K.P./-

AFR/NAFR	
CAV DATE	
Uploading Date	17.10.2025
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