

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4906 of 2025

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Nipen Majhi Son of Late Putu Majhi, Resident of Flat No. D-4/2, Shri Krishna Complex, Main Road, Uliyan Kadma, Jamshedpur, East Singhbhum, Jharkhand- Pin 831005.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Water Resources Department, Government of Bihar, Patna.
2. The Chief Engineer, Irrigation Creation, (Srijan) Water Resources Department, Aurangabad, Bihar.
3. The Superintending Engineer, North Koel Canal Circle, Aurangabad, Bihar.
4. The Executive Engineer, Batane Head Works Division, Amba, Aurangabad, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kumar Ravish, Advocate
For the Respondent/s : Mr. Sumant Kumar Singh, AC to GA-2

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 02-04-2025 Heard the learned counsel appearing for the petitioner as well as the learned AC to GA-2.

2. The petitioner in this writ application has prayed a direction upon the respondent authorities to revise the benefits granted to the petitioner under the Assured Career Progression Scheme and also under the Modified Assured Career Progression Scheme in the light of the Full Bench judgment dated 28 June, 2024 (Annexure P/4) passed in CWJC No. 18727 of 2017 (Kamlanand Thakur Vs. The State of Bihar and others and other analogous cases) under which a declaration of law



was made by the Hon'ble Full Bench that for grant of benefits under the Assured Career Progression Scheme, there is no requirement of passing departmental accounts examination under the Bihar Board Miscellaneous Rules, 1958 and accordingly to direct the respondent authorities to implement the said judgement in the case of the present petitioner also and to revise his pay accordingly and pay the arrears of salary thereof as also to revise the last pay till the date of actual retirement of the petitioner and thereafter to revise the pensionary benefits and to pay its arrears with interest as permissible under law forthwith.

3. For claiming the same reliefs the petitioner in paragraph-14 of the writ application submits that he has already filed three representations which is at Annexure-P/5, Annexure -P/6 and Annexure-P/7 before the respondent no.4 and the same continues to be pending till today.

4. With the consent of parties direction is given to respondent no.4 to dispose of the pending representations dated 11.11.2024, 13.12.2024 and 16.01.2024 which are annexures Annexure-P/5, Annexure -P/6 and Annexure-P/7 respectively within a period of two months after giving an opportunity of hearing to the petitioner. The order passed by respondent no.4



shall be a reasoned and speaking order.

5. With the aforesaid observation/direction the writ application stands disposed of.

(Alok Kumar Sinha, J)

Prakash Narayan

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