

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.206 of 2022
In
Civil Writ Jurisdiction Case No.1561 of 2017

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1. The State of Bihar through the Finance Commissioner-cum-Secretary to Government, Department of Finance, Bihar, Old Secretariat, Patna.
 2. The Finance Commissioner-cum-Secretary, Department of Finance, Government of Bihar, Old Secretariat, Patna.
 3. The Deputy Secretary, Department of Finance, Government of Bihar, Patna.
 4. The Divisional Commissioner, Patna.
 5. The Collector, Bhojpur at Arrah.
 6. The District Development Commissioner, Bhojpur at Arrah.

... .. Appellant/s

Versus

- 1.1. Md. Imam Azam Son of Late Sikandre Azam Resident of Sarai- Near Maszid (Nazirganj), Post- Waliganj, Police Station- Arrah Town, District- Bhojpur.
- 1.2. Mr. Gaus Azam, Son of Late Sikandre Azam Resident of Sarai- Near Maszid (Nazirganj), Post- Waliganj, Police Station- Arrah Town, District- Bhojpur.
- 1.3. Md. Rayish Azam Son of Late Sikandre Azam Resident of Sarai- Near Maszid (Nazirganj), Post- Waliganj, Police Station- Arrah Town, District- Bhojpur.
- 1.4. Md. Nafis Azam Son of Late Sikandre Azam Resident of Sarai- Near Maszid (Nazirganj), Post- Waliganj, Police Station- Arrah Town, District- Bhojpur.
- 1.5. Md. Usman Gani Azam Son of Late Sikandre Azam Resident of Sarai- Near Maszid (Nazirganj), Post- Waliganj, Police Station- Arrah Town, District- Bhojpur.
- 1.6. Md. Garib Nawaz Azam Son of Late Sikandre Azam Resident of Sarai- Near Maszid (Nazirganj), Post- Waliganj, Police Station- Arrah Town, District- Bhojpur.
- 1.7. Noor Zahan Resident of Sarai- Near Maszid (Nazirganj), Post- Waliganj, Police Station- Arrah Town, District- Bhojpur.
- 1.8. Noor Fatma Resident of Sarai- Near Maszid (Nazirganj), Post- Waliganj, Police Station- Arrah Town, District- Bhojpur.
- 1.9. Noore Nazar Resident of Sarai- Near Maszid (Nazirganj), Post- Waliganj, Police Station- Arrah Town, District- Bhojpur.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Manoj Kumar, AC to GP-4.
For the Respondent/s : Mr.



CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

10 04-02-2025 Appellants-State have assailed the order of the learned Single Judge dated 18.03.2021 passed in C.W.J.C. No.1561 of 2017. Core issue involved in the present *lis* is whether respondent is required to pass certain examination for the purpose of seeking ACP benefit or not. Hon'ble Supreme Court in the case of **Amresh Kumar Singh & Ors. vs. The Sate of Bihar & Ors.** reported in **2023 (2) PLJR (SC) 423** read with Full Bench decision of this Court in the case of **Kamlanand Thakur vs. State of Bihar & Ors.** reported in **2024 (4) BLJ 806** held that for the purpose of extending ACP benefit employee need not pass departmental examination.

2. In the light of the aforementioned judicial pronouncements, the appellants have not made out a case. Accordingly, the present L.P.A. stands dismissed.

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

(P. B. Bajanthri, J)

(Sunil Dutta Mishra, J)

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