

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12578 of 2025

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Jitman Sah S/o late Suryabali Sah, Resident of Village - Ekderba, P.O. - Bargaon, P.S. - Bagaha, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Finance, Government of Bihar, Patna.
2. The Principal Secretary, Department of Finance, Government of Bihar, Patna.
3. The Director, Panchayati Raj Department, Government of Bihar, Patna.
4. The District Magistrate, West Champaran, Bettiah.
5. The District Development Commissioner, West Champaran, Bettiah.
6. The Additional Collector, West Champaran, Bettiah.
7. The District Panchayati Raj Officer, West Champaran, Bettiah.
8. The Deputy Collector (Establishment), West Champaran, Bettiah.
9. The District Account Officer, West Champaran, Bettiah.
10. The Senior Treasury Officer, West Champaran, Bettiah.
11. The Block Development Officer, Narkatiyaganj, District - West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ranjan Kumar Srivastava, Advocate Mr. Shashwat Srivastava, Advocate
For the Respondent/s	:	Mr. Standing Counsel (25)

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL JUDGMENT

Date : 08-09-2025

Heard learned counsel for the petitioner and learned counsel for the respondent State.

2. With the consent of both the parties, this writ application is being disposed of at this stage itself.

3. In the present writ application, the petitioner has prayed for the grant of following reliefs:-



“A. For issuance of an appropriate writ/writs, order/orders, particularly in the nature of Certiorari, for quashing the order contained in Memo No. 2924 dated 01.12.2023 relating to the Petitioner issued by the District Panchayati Raj Officer, West Champaran, Bettiah, whereby the claim of the Petitioner for grant of Assured Career Progression (ACP) has been arbitrarily rejected on the ground of not having passed the Hindi Noting & Drafting Examination, which is unjust-. illegal, and contrary to law laid down by the Hon'ble Full Bench passed in CWJC No. 18827 of 2017 dated 28.06.2024 (Kamla Nand Thakur Vs. The State of Bihar & Ors).

B. For issuance of writ/writs, order/orders in the nature of Mandamus for directing the Respondents to grant entire benefits of A.C.Ps to the Petitioner along with consequential monetary benefits from



the date of their eligibility as the Petitioner has been retired from service as Panchayat Sevak (Secretary) of Panchayat Binwaliya, Block-Narkatiyaganj. District West Champaran on 28.02.2009.

C. Pass such other Order/Orders as your Lordships may deem fit and proper.”

4. Learned counsel for the petitioner submits that his case is squarely covered by a Full Bench decision of this Court passed in **C.W.J.C. No. 18727 of 2017** dated **28.06.2024 (Kamlanand Thakur vs. The State of Bihar and Ors.)** and therefore, he submits that the petitioner is prepared to file a detailed representation before the District Magistrate, West Champaran, Bettiah (Respondent No. 4) in light of the same.

5. Learned counsel for the petitioner further submits that the petitioner would be satisfied if an appropriate direction is issued by this Court directing the District Magistrate, West Champaran, Bettiah (Respondent No. 4) to decide the representation which will be filed by the petitioner in accordance with law after taking into account the Full Bench decision (supra).

6. To the aforesaid prayer being made by the learned



counsel for the petitioner, the learned counsel appearing for the respondent State has no objection.

7. Considering the limited nature of prayer made by the learned counsel for the petitioner, this writ application is being disposed off granting liberty to the petitioner to file a detailed representation before the District Magistrate, West Champaran, Bettiah (Respondent No. 4) within one month from the date of passing of this order and if such a representation is filed by the petitioner, the same shall be disposed off by the District Magistrate, West Champaran, Bettiah (Respondent No. 4) on merits after giving an opportunity of hearing to the petitioner within four months from the date of filing of the representation.

8. Needless to emphasise that the final order which shall be passed by the District Magistrate, West Champaran, Bettiah (Respondent No. 4) should be a reasoned and speaking order.

9. Further, this Court considers it appropriate to observe that while passing the final order, the District Magistrate, West Champaran, Bettiah (Respondent No. 4) will take notice of the Full Bench judgment of this Court passed in **C.W.J.C. No. 18727 of 2017** dated **28.06.2024 (Kamlanand Thakur vs. The State of Bihar and Ors.)** and accordingly, pass its order.

10. With the aforesaid observations, directions and liberty



granted, the present writ application is disposed off.

11. All pending I.A.s., if any, is deemed to have been disposed of.

(Alok Kumar Sinha, J)

Prakash/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

