

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.13791 of 2025**

Binod Kumar S/o Late Rambali Prasad @ Late Rambali Prasad Yadav  
Resident of Village-Bhaluiya Tar, P.S.- Muffasil, District-Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Home Department, Government of Bihar, Patna.
3. The Principal Secretary, Finance Department, Government of Bihar, Patna.
4. The District Magistrate, Nawada.
5. The Superintendent of Police, Nawada.
6. The District Account Officer, Nawada.
7. The Circle Officer, Nawada, District-Nawada.

... .. Respondent/s

**Appearance :**

|                      |   |                                                               |
|----------------------|---|---------------------------------------------------------------|
| For the Petitioner/s | : | Mr. Ravi Prakash, Advocate<br>Mr. Sheo Kumar Prasad, Advocate |
| For the Respondent/s | : | Mr. Prem Ranjan Kumar, AC to AAG-9                            |

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

2      09-10-2025                      Heard learned counsel for the petitioner and learned  
counsel for the respondents.

2. The petitioner has filed the instant application for  
the following relief(s) :-

- “1.(i) For issuance of the appropriate writ/order/orders/directions specially in the nature of mandamus commanding direction to the respondent concern that disposal of representation of the petitioner which is pending before granting of the 3<sup>rd</sup> A.C.P. of the petitioner.*  
*(ii) For issuance of the appropriate direction, orders to respondent concern to grant benefit of third ACP to petitioner who not found till the date from the date of 24.11.2024.*  
*(iii) For issuance of any appropriate rule or*



*directions on this Hon'ble Court may found fit and proper to the facts and circumstances of case as well as for which petitioner may be found entitled."*

3. The case of the petitioner in brief is that having been appointed as *Chowkidar* on 27.11.1994 in Muffasil Police Station in the District of Nawada, the petitioner started discharging his duties to the satisfaction of all concerned. It is submitted that the petitioner was granted the benefits of 1<sup>st</sup> ACP on 27.11.2006 and that of the 2<sup>nd</sup> ACP on 27.11.2014. In spite of having worked for over 30 years, the petitioner has not received the benefits of 3<sup>rd</sup> ACP to which he is entitled. It is further submitted that the petitioner filed his representations before the respondent District Magistrate, Nawada (respondent no.4), however not having received any response thereto nor the benefits of the 3<sup>rd</sup> ACP, the instant application has been filed.

4. Having heard learned counsel for the parties and taking into consideration the contents of the petition, the Court is of the opinion that no useful purpose is going to be served in keeping the instant application pending.

5. The instant writ application stands disposed of giving liberty to the petitioner to file a fresh representation before the District Magistrate, Nawada (respondent no.4) within a period of 1 month along with a copy of the order. On filing of



the said representation, the respondent concerned shall dispose of the same within a period of 2 months from the date of its filing.

6. In case the respondent concerned is of the opinion that the petitioner is entitled to his claim as prayed for herein, the same shall be paid to the petitioner within a period of 3 months from the date of order by the respondent.

7. In case the respondent is of the opinion that the petitioner is not entitled for the benefits of the 3<sup>rd</sup> ACP, a reasoned order shall be communicated to the petitioner for the same within a period of 2 months of the filing of the representation.

8. It is made clear that the Court has not gone into the merits of the case of the petitioner which is to be decided by the respondent concerned.

9. The writ application stands disposed of with the above observations and directions.

**(Partha Sarthy, J)**

Shiv/-

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