

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.249 of 2019

In
Civil Writ Jurisdiction Case No.16681 of 2009

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1. Patna Municipal Corporation through the Chief Executive Officer, Patna (Municipal Commissioner), Patna
 2. The Chief Executive Officer (Municipal Commissioner), Patna Municipal Corporation, Water Board Section, Budha Marg, Patna- Gaya Road, Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Urban Development Department, Govt. of Bihar.
2. Satya Narayan Singh son of Late Paltan Singh resident of Mohalla- New Colony, Pani Tanki Road, Khajekalan, District- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan, Adv.
For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 01-05-2025 Heard the parties.

2. The present application has been filed:

*for review of order dt. 10.04.2018
passed in CWJC No. 16681 of 2009 to the
extent that the writ petitioner/respondent no.
02 herein, is not entitled to grant of both the
benefits of time bound promotion as well as
A.C.P. Scheme simultaneously in light of the
fact that both are same and similar benefits
whereby the time bound scheme was
abolished since 01.01.1996 and in its place,
the Assured Career Promotion Scheme, 2003
was brought into existence and further that*



the order /orders of Hon'ble Court relied by writ petitioner/respondent no. 02 to get the said benefit of time bound promotion, was misplaced in light of the fact that petitioners/ beneficiary in those orders, had been granted only the benefit of time bound promotion and not that of Assured Career Promotion benefits.

3. In CWJC No. 16681 of 2009 (Satya Narayan Singh Vs. the State of Bihar and Ors.), the Writ Court passed an order on 10.04.2018 having taken the line of L.P.A. No. 25 of 2007 showing applicability of time bound promotion in case of employees of Municipal Corporation also held that the petitioner cannot be deprived of the benefit of time bound promotion as already the scheme of A.C.P. has been enforced in the said Municipal Corporation. Accordingly, the direction was given to grant benefit of time bound promotion as well as the A.C.P.

4. Aggrieved, the present petition.

5. The claim of the Patna Municipal Corporation is that the time bound promotion has never been applied and implemented and as such, it cannot be extended to the petitioner.

6. On query of the Court, whether the order passed in L.P.A. No. 25 of 2007 has been set aside/reversed/reviewed, the



answer is in negative, certainly, if the Writ Court has followed the L.P.A. No. 25 of 2007 which remains unchallenged, the writ petitioner (opposite party no. 2 herein) cannot be deprived of the benefits.

7. There is no merit in the petition, dismissed.

(Rajiv Roy, J)

Vijay Singh/-

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