

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12006 of 2017

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Akbar Mian son of Late Khedu Mian resident of Village -Patilar Hata Tola,
P.S. - Bagha, District - West Champaran Presently residing at Village -
Ratanmala, Ward No. 33, P.S. - Bagha, District - West Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Education Department, Government of Bihar,
Patna.
3. The Principal Secretary, Department of Finance, Government of Bihar,
Patna.
4. The Director, Primary Education, Government of Bihar, Patna.
5. The Regional Deputy Director of Education, Tirhut Division, Muzaffarpur.
6. The District Education Officer, West Champaran.
7. The District Programme Officer (Establishment), West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Respondent/s : Mr. Jai Prabhat Kishore, AC to SC 13

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

6 06-01-2026 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the respondent-State.

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

3. The petitioner in the present writ application has
prayed for grant of the following relief(s):-

*“The petitioner seeks indulgence of
this Hon’ble Court for directing and
commanding the respondent authorities to
consider the grant of Second Assured Career*



Progression Scheme (A.C.P. Scheme) in grade pay of Rs. 4600/- in the pay band of Rs. 9300-34800/- to corresponding grade pay as per the grade defined in the definition Rule-4 of Assured Career Progression Scheme (A.C.P.) Rules-2003 notified by the Finance Department, Government of Bihar, to the petitioner from due date and with consequential benefits.”

4. After advancing some argument, learned counsel for the petitioner submits that for seeking the aforesaid relief, the petitioner is prepared to file a representation before the District Education Officer, West Champaran and prays that an appropriate direction be issued to the District Education Officer, West Champaran, to dispose of the representation within a fixed time frame, after giving an opportunity of hearing to the petitioner. The petitioner further submits that there are certain observations made in the order dated 25.08.2021 passed in CWJC No. 20410 of 2019 and in the order dated 17.07.2019 passed in CWJC No. 4176 of 2017, which as per learned counsel appearing for the petitioner, the respondent District Education Officer, West Champaran may be directed to take note of while disposing of the representation of the petitioner.

5. To the aforesaid submission made by learned counsel for the petitioner, learned counsel appearing for the



respondent-State does not have any objection.

6. Considering the limited nature of prayer made by learned counsel for the petitioner, this case is disposed of granting liberty to the petitioner to file an appropriate representation before the District Education Officer, West Champaran, within one month from the date of passing of this order. In the said representation, the petitioner is expected to highlight the observation made by this Court in CWJC No. 4176 of 2017 and CWJC No. 20410 of 2019.

7. On the receipt of the said representation, the District Education Officer, West Champaran shall dispose of the same within a further period of five months, after giving an opportunity of hearing to the petitioner.

8. Needless to emphasize that the final order which shall be passed by the District Education Officer, West Champaran, should be a well reasoned and speaking order.

9. It is also made clear that in case the petitioner is found entitled to the relief which the petitioner would be claiming in the representation, the same should be extended to the petitioner within a further period of three months from the date of passing of the final order.

10. With the aforesaid observation, direction and



liberty granted, the present writ application stands disposed of.

11. Pending Interlocutory Application, if any, stands disposed of.

(Alok Kumar Sinha, J)

Ranjeet/-

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