

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.291 of 2026

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Vijay Kumar Padma S/o Late Ram Lakhan Prasad, R/o Village- Arhwan,
P.S. Wazirganj, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Prohibition, Excise and Registration Department, Government of Bihar, Patna.
2. The Commissioner, Excise, Department of Prohibition, Excise and Registration, Govt. of Bihar, Patna.
3. The Joint Commissioner, Excise, Department of Prohibition, Excise and Registration, Govt. of Bihar, Patna.
4. The Assistant Commissioner, Excise, Department of Prohibition, Excise and Registration, Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shiv Kumar, Adv.
Ms. Sweta Burnwal, Adv.
For the Respondent/s : Mr. Additional Advocate General (4)

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CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

2 31-01-2026 Heard learned counsel for the petitioner and

learned counsel appearing for the respondent-State.

2. The petitioner has preferred this writ

application with the following reliefs;

*“I. That the present application is for
issuance of a writ in the nature of mandamus
directing the respondent authorities to give the
benefit of Second Assured Career Promotion,
hereinafter referred to as ACP, to the petitioner
w.e.f. 16.06.2004 with all consequential benefits, in
light of the notification no. 4685 dated 25.06.20223
issued by the Finance Department, Bihar which has
not been given to him as yet. And further the
concerned authorities may also be directed to shift*



the date of 3rd MACP of the petitioner from 05.02.2012 to 16.02.2010 with all consequential benefits, in light of the resolution no. 7566 dated 14.07.2010 issued by the Finance Department, Bihar and accordingly all the post retiral benefits of the petitioner may be refixed and paid to him. And/or pass other order or orders as your Lordships may think fit and proper in the facts and circumstances of the case.”

3. Referring to the prayer made in the writ application, learned counsel for the petitioner submits that the even though the petitioner was entitled for the benefit of 2nd ACP with effect from 16.06.2004 in light of the notification dated 25.06.2003, which is at Annexure-P/1, he has been deprived of the benefits of 2nd ACP. He further submits that despite the representation made by the petitioner in this regard, no decision has been taken on the claim of the petitioner as yet. He further confined his prayer to the extent that the representation of the petitioner annexed as annexure-P/5 dated 13.10.2025 to the writ application may be directed to be decided by the concerned authorities in accordance with law within a reasonable time.

4. On the other hand, learned counsel for the respondent does not oppose the submission advanced by the learned counsel for the petitioner.



5. Taking into consideration the submission put-forth by the learned counsel for the petitioner and taking into consideration the fact that the representation of the petitioner is pending consideration before the respondent authority as yet, this Court deems it fit to dispose of this writ petition at this stage itself directing the petitioner to file a fresh representation, raising all the grounds as raised in this writ application with all supporting documents with respect to his claim, annexing all the representations filed earlier, which is at P/5 to the writ application, within a period of two weeks from today. Upon such representation is filed, the concerned respondent shall consider the representation of the petitioner and decide it by passing a reasoned and speaking order, in accordance with law, preferably within a period of 45 days from the date of receipt of a copy of the order of this Court, which shall be communicated to the petitioner forthwith.

7. Accordingly, with the aforesaid observation and direction, the writ petition stands disposed of.

(Praveen Kumar, J)

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