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**(2011) 04 JH CK 0158**

**In the Jharkhand High Court**

**Case No : Writ Petition (S) No. 6517 of 2010**

Chandramani Samanta and Others

APPELLANT

Vs

State of Jharkhand and Others

RESPONDENT

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**Date of Decision : 11-04-2011**

**Acts Referred:**

**Citation : (2011) 04 JH CK 0158**

**Hon'ble Judges : Narendra Nath Tiwari, J**

**Bench : Single Bench**

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## **Judgement**

Narendra Nath Tiwari, J.—In this writ petition, the Petitioners have prayed for a direction on the Respondents to provide the benefits of first and second A.C.P. under Assured Career Progression Scheme/time bound promotion to the Petitioners.

2. It has been submitted that the Petitioners were appointed in the year 1980 and are entitled to get the benefits of first and second A.C.P., but no order has been passed regarding the said benefits. The Respondents have also not passed any order for time bound promotion. The Petitioners have clean service record and they are eligible for getting the benefits of first and second A.C.P./time bound promotion. The Petitioners have approached the authorities several times, but no order has been passed till date.

3. Learned J.C. to S.C.I, appearing on behalf of the State, submitted that the Petitioners' appointments were irregular and as such, they are not entitled to get the benefits of A.C.P./time bound promotion. Learned Counsel, however, admitted that no specific order has been passed regarding the Petitioners' appointment or regarding the claim of A.C.P./time bound promotion.

4. Learned Counsel for the Petitioner refuted the said contentions and submitted that the Petitioners were duly appointed after observing all the legal formalities.

5. I have heard learned Counsel for the parties. The Petitioners have claimed that

they are entitled to get the benefits of A.C.P./time bound promotion. One of the similarly situated persons has got the benefit of A.C.P., but no order has been passed regarding the Petitioners' claim till date.

6. Considering the above, this writ petition is disposed of, giving liberty to the Petitioners to file a fresh representation, regarding their claim, along with a copy of this order, before the Secretary-cum-Commissioner, Commercial Taxes, Government of Jharkhand. On receipt of such representation, the said Respondent shall consider the same and pass appropriate order, in accordance with law, within a period of six weeks from the date of receipt of the representation. If the Petitioners are found entitled to any benefit, the order of payment of the admitted amount shall be passed within a period of six weeks thereafter.