

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13646 of 2007

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1. Ramanand Prasad ,son of Late Vishwanath Prasad, resident of village- Ram Nagar, P.S. Vijaypur, District- Gopalganj, presently posted as Head Clerk in the office of Assistant Controller, Weights and Measures, Dhanbad
 2. Shatrughna Prasad Rai, son of Dharmnath Rai, resident of village- Nawkarh, P.S. Maker ((Old P.S. Parsa), District-Saran, presently posted as Head Clerk in the office of Assistant Controller, Weights and Measures, Hajipur, District- Vaishali
 3. Ajit Kumar, son of Late Srikrishna , resident of village- Deopur, P.S. Raghunathpur, District- Siwan, presently posted as Head Clerk, in the office of Assistant Controller, Weights and Measures, Ranchi

.... Petitioners

Versus

1. The State of Bihar
2. Agriculture Production Commissioner, Government of Bihar, Patna
3. Director of Agriculture, Government of Bihar, Patna
4. Joint Director of Agriculture-cum- Controller, Weights and Measures, Raja Bazar, Bailey Road, Patna-14
5. Assistant Controller, Weights and Measures, Hajipur, District- Vaishali
6. Assistant Controller, Weights and Measures, Samastipur

.... Respondents

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Appearance :

For the Petitioner/s : Mr. K.B.Verma
Mr. Ramesh Kumar Verma
Mr. Naresh Prasad I

For the Respondent/s : Mr. AC to AAG-3

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

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3 19-02-2015 Heard learned counsel for the petitioner and learned
AC to AAG-3.

Three petitioners, invoking writ jurisdiction of this Court under Article 226 of the Constitution of India, have prayed for directing the Respondents to pay arrears of salary from 09.08.1999 to 28.02.2006 consequent upon sanction of benefit of

ACP.

In this case, counter affidavit and supplementary counter affidavit have been filed on behalf of Respondent nos. 1 to 6 and it has been indicated that entire salary in view of 1st ACP and 2nd ACP has been credited to the account of petitioner no.2. So far claim of petitioner nos.1 and 3 is concerned, it has been indicated that request has been made to the Controller, Weights and Measures Department, State of Jharkhand, Ranchi to pay arrears of salary. This stand was taken in the counter affidavit and the same has been reiterated in the supplementary counter affidavit, filed on 10th February, 2015

Learned counsel for the petitioners submits that he is unable to get any instruction from the petitioners. Accordingly, he submits that the writ petition may be disposed of with an indication that if petitioner nos. 1 and 3 feel that relief can be granted by the State of Jharkhand, they may avail appropriate remedy.

The writ petition stands disposed of with liberty as indicated above.

(Rakesh Kumar, J)

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