

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No. 15204 of 2006**

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Balmikeshwar Prasad, S/o Late Dineshwar Prasad resident of Mohalla-Shivpuri Pokharia, P.S.- Begusarai, P.O. – Begusarai, District – Begusarai.  
..... Petitioner

Versus

1. The State of Bihar
  2. The Chief Secretary, Government of Bihar, Old Secretariat, Patna.
  3. The Secretary, P.H.E.D. (Public Health Engineering Department) Vishwasaria Bhawan Campus, Patna.
  4. The Engineer in Chief cum Special Secretary, P.H.E.D. Vishwasaria Bhawan Campus Patna.
  5. The Chief Engineer, P.H.E.D. Zone Bhagalpur (Near Kachahari), Bhagalpur.
  6. The Superintending Engineer, P.H.E.D., Circle, Munger.
  7. The Executive Engineer, P.H.E.D. Division Jamui, District – Jamui.
- ..... Respondents

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**Appearance :**

For the Petitioner/s : Mr. Kumod Kr. Shrivastava  
For the Respondent/s : AC to SC - 22

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**CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR**  
**ORAL ORDER**

4. 23-03-2015 Heard learned counsel for the petitioner and learned A.C. to Standing Counsel – 22.

The petitioner, who is retired person aggrieved with non-grant of benefit under the A.C.P Scheme, has approached this Court by filing the present writ petition under Article 226 of the Constitution of India.

It was claimed that the petitioner was entitled to get 2<sup>nd</sup> Time Bound Promotion w.e.f. 19-04-1992 in place of 12-01-1996.

In this case, counter affidavit and supplementary counter affidavit have been filed. In supplementary counter

affidavit filed on behalf of respondent no. 7/Executive Engineer, P.H.E.D. Division Jamui, District Jamui, it has been accepted regarding grant of 2<sup>nd</sup> Time Bound Promotion w.e.f. 19-04-1992, but certain pleas have been taken regarding non-payment of arrear due to non-receipt of employee information. By way of filing reply to the supplementary counter affidavit, the petitioner states that all the information has now been provided.

In view of the facts & circumstances, particularly; the fact that the petitioner retired long back in the year 2002, instead of keeping the matter pending, it is desirable to dispose of the writ petition with a direction to the respondent no. 7 to take all steps so that the arrear in respect of 2<sup>nd</sup> Time Bound Promotion w.e.f. 19-04-1992 may be paid to the petitioner within a period of two months from the date of receipt/production of a copy of this order. It goes without saying that respondent no. 7 shall take steps for clearing all the admitted dues of the petitioner within aforesaid time.

The writ petition stands disposed of with direction, as indicated above.

**(Rakesh Kumar, J.)**

Anay/-

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