

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11341 of 2013

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1. Shyam Nandan Ojha aged about 68 years son of late Baidya Nath Ojha, resident of Sanjay Gandhi Nagar, Road No.2, Patna-1.
 2. Narbadeshwar Prasad Verma aged about 70 years son of late Sheo Nath Prasad, resident of L.I.G. 13/439, Hanuman Nagar, Kankarbagh, P.S. Patrakar Nagar, Dist-Patna.

.... Petitioner/s

Versus

1. The Bihar State Housing Board through Chairman and Managing Director, 6 Mangles Road, P.S. Sachivalya, District-Patna.
2. The Secretary, Bihar State Housing Board, 6 Mangles Road, Patna, P.S. Sachivalya, Dist-Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rudal Singh

For the Respondent/s : Mr. Anshuman Singh

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

6 29-03-2016 Heard learned counsel for the petitioners and learned counsel for the State.

In this case, petitioners are seeking first ACP and second ACP claiming that they are entitled to the both ACPs under the ACP Rules, 2003.

This Court is not required to examine the merit of the case, though the entire facts have been stated in the counter affidavit, basically plea has been taken that on account of the financial crunch, the Board was incapable to grant the benefit of ACP, but ultimately in para 20 of the counter affidavit it has been stated that the case of the petitioner for granting the benefit of ACP, has been placed before the Screening Committee and the

procedure is going on the next meeting. It will be relevant to quote para 20 of the counter affidavit.

“That it is humbly stated that with regard to grant of benefit of ACP of the petitioner is concerned. The necessary exercise has been done by the Board to place the matter before the Screening Committee. The procedure is going on for the next meeting. The same shall be done in the forth coming meeting of the Screening Committee.”

In such view of the matter, this Court directs the Screening Committee and the competent authority to examine the case of the petitioner in the light of the order passed by this Court in CWJC No. 14019 of 2010 and take a final decision within a period of three months from the date of receipt/production of a copy of this order.

For convenience, the petitioner is directed to file a detailed representation annexing a copy of this order.

With the aforesaid observation/direction, this writ petition is disposed of.

(Shivaji Pandey, J)

Siddharth/Mahesh

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