

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11491 of 2011

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Ram Udgar Mahto S/O Late Dularchand Mahto R/O Arati Enclave Near
Anishabad Telephone Exchange, New Bypass Road, P.S- Beur, Patna-
800002, Distt.- Patna

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, General
Administration Department, Govt. of Bihar, Old Secretariat, Patna
2. The Principal Secretary, General Administration Department, Govt. of
Bihar, Old Secretariat, Patna
3. The Deputy Secretary, General Administration Department, Govt. of
Bihar, Old Secretariat, Patna

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Nikesh Kumar, Adv.
For the Respondent/s : Mr. AC to AAG-4

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

6 02-03-2016 Heard Sri Nikesh Kumar, learned counsel for the

petitioner and learned AC to AAG-4.

In the present writ petition, the petitioner has made a
prayer for directing the Respondents to grant benefit under the
ACP Scheme.

In the counter affidavit, a plea was taken that
departmental proceeding was pending and he has also been
imposed certain punishment. However, in paragraph-10 of the
counter affidavit, the fact has been disclosed that the
representation of the petitioner regarding claim of his ACP is
under consideration and shall be placed before the Screening

Committee for taking necessary action. Learned counsel for the petitioner has placed reliance on a decision of this Court passed in C.W.J.C.No.8120 of 2006 as well as L.P.A. No.233 of 2009 and submits that the relief under the ACP scheme may not be treated at par with the condition, which is required to be taken note of at the time of grant of promotion.

In view of submission made in paragraph nos.9 and 10 of the counter affidavit, learned counsel for the petitioner makes a prayer for disposal of the writ petition with an observation that final decision on the representation of the petitioner may be taken without any delay.

In view of facts and circumstances, particularly the submission made by learned counsel for the petitioner, the Court proposes to dispose of the writ petition with an observation that the Respondents may take appropriate decision on the representation of the petitioner in accordance with law as stated in paragraph-10 of the counter affidavit. The decision may be taken within three months from the date of receipt/production of a copy of this order.

The writ petition stands disposed of.

(Rakesh Kumar, J)

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