

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19708 of 2015

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Bishundeo Singh, Retired Sub-Inspector of Police, Son of Late Bikram Singh, resident of village- Kazi Daulatpur, P.S.- Belaganj, District- Gaya

.... Petitioner

Versus

1. The State of Bihar through Chief Secretary, Govt. of Bihar, Patna
2. The Director General cum I.G. of Police Bihar Govt. Patna
3. The Superintendent of Police, District- Bhojpur, Bihar
4. The Accountant General of Bihar, Patna

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Kumar Rajeev, Advocate
Mr. Binay Kumar Singh, Advocate

For the State : Mr. Mani Madhukar, AC to GA 4

For Accountant General : Mr. Raj Nandan Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 05-01-2016 After having served as Sub-Inspector of Police, Government of Bihar, the petitioner retired on attaining the age of superannuation on 30.06.2009. More than five years after the date of his superannuation, vide order dated 18.12.2014, issued by the Deputy Inspector General of Police, Sahabad Range, the petitioner was granted the benefit of 3rd Assured Career Progression (ACP). The grievance of the petitioner is that though the 3rd ACP has been granted to him, the consequential benefits of arrears of

salary, refixation of pensionary benefits have not been given to him.

Considering the nature of relief sought for, this application is disposed of with a direction to the Superintendent of Police, Bhojpur, to calculate the arrears of salary of the petitioner arising out of refixation of his pay consequent upon the grant of 3rd ACP to him with effect from 01.01.2009, within a period of four weeks from the date of receipt/production of a copy of this order. He will be required to ensure payment of arrears of salary accordingly within a period of two months thereafter.

Learned counsel for the petitioner is right in his submission that refixation of pay upon grant of ACP will require refixation of pension and gratuity. The Superintendent of Police, Bhojpur, is directed to consider this aspect and issue necessary sanction orders for payment of pension and gratuity on revised rate. If such refixation has any effect on Provident Fund amount, the Superintendent of Police, Bhojpur, is directed to look into it and pass necessary orders.

If revised sanction orders for payment of pension and gratuity are issued and sent to the office of the Accountant General, Bihar, he shall ensure issuance of necessary authority slips within one month thereafter.

It is made clear that the entire exercise in relation to payment of arrears of salary/post retiral benefits consequent upon grant of 3rd ACP to the petitioner must be completed within a period of six months from today.

The writ petition stands disposed of accordingly.

(Chakradhari Sharan Singh, J)

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