

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12096 of 2013

=====

Kesho Prasad Singh son of late Baijnath Singh, resident of village-Shishwachak,
PO-Punpun, PS-Punpun, District-Patna. Presently posted as Zanjeer Wahak, Flood
Protection Scheme, Special Land Acquisition Office, Patna.

.... Petitioner/s

Versus

The State of Bihar & Ors.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : M/s Prabhat Ranjan Singh and Amrendra Kr. Singh

For the Respondent/s : Mr. Alok Ranjan, AC to GA-6

=====

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 20-09-2016

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is working as a Zanjeer Wahak in Barh
Suraksha Yozana, was appointed in the year 1980 on the aforesaid
post in the Special Land Acquisition Irrigation Department,
Daltenganj and after bifurcation of the State of Bihar, the petitioner
opted for the State of Bihar and accordingly, he has been transferred
in the service of the State of Bihar.

Presently the petitioner is claiming the benefit of A.C.P.
which has been denied by the State on the ground that an enquiry with
respect to the person appointed in the year 1980, is going on and
claim has been made by the State that the petitioner was appointed in
the year 1980, in such circumstances, his case cannot be considered

for granting the benefit of A.C.P., but today the counsel for the State, on the oral instruction of the department, has fairly accepted that especially no case is pending against the petitioner with respect to the vigilance matter, but a general vigilance case is pending.

The counsel for the petitioner submits that till today the petitioner has not been given any notice, nor he has been included in the list of the accused person, nor any charge sheet has been filed against him, in such circumstances, the State is directed to consider the case of the petitioner with respect to granting the benefit of A.C.P. and pass an order within a period of one month from the date of receipt or production of a copy of this order.

Accordingly, this petition is disposed of.

(Shivaji Pandey, J)

Mahesh/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	21.09.2016
Transmission Date	