

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12529 of 2013

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Kaushal Kishore Verma Son of Late Kameshwar Prasad resident of mohalla - Rajiv Nagar, Road No. -8, P.O. - Keshrinagar, P.S. - Rajiv Nagar, District – Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Road Construction Department, Nirman Bhawan, Bailey Road, P.S. Shastrinagar, District - Patna
2. The Engineer-in-Chief, Road Construction Department, Nirman Bhawan, Bailey Road, Shastrinagar, District - Patna
3. The Chief Engineer, South Bihar, Road Construction Department, Nirman Bhawan, Bailey Road, P.S. - Shastrinagar, District - Patna
4. The Superintending Engineer, Magadh Road Construction Circle, P.S. - Gaya, District – Gaya.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajiv Ranjan, Adv.

For the Respondent/s : Mr. M.M. Jha, AC to GP-27

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 08-11-2016

Heard the parties.

In the present case, the petitioner has made a prayer for granting the A.C.P. and its benefit.

In paragraph 6 of the counter affidavit, it has been stipulated that the 1st A.C.P. has been granted to the petitioner with effect from 31.12.1999 after completion of 12 years of service, but the benefit of 2nd A.C.P. has not been given to him on account of non-availability of his character role.

The counsel for the petitioner submits that though the Notification has been issued, thereby the benefit of A.C.P. has been

granted to the petitioner, but he has not been received the consequential benefit i.e. monetary benefit arising from the 1st A.C.P. and with regard to the 2nd A.C.P., he submits that the matter is of consideration of the C.R. of the petitioner, all the files are lying with the respondents, it is for them to decide the 2nd A.C.P., which is pending for consideration for long but has not been decided till date though the petitioner has become entitled in the year 2007.

In such view of the matter, let the Government grant the monetary benefit arising from the 1st A.C.P. within one month from the date of receipt or production of a copy of this order and so far the 2nd A.C.P. is concerned, the case of the petitioner should be considered with regard to his entitlement of 2nd A.C.P. within a period of two months from the date of receipt or production of a copy of this order.

Accordingly, this petition is allowed to the aforesaid extent.

(Shivaji Pandey, J)

Mahesh/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	15/11/2016
Transmission Date	