

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11659 of 2013

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1. Parmeshwar Mahto Son Of Banwari Mahto Resident Of Village - Kirparamdih,
P.S. Sikandra, District - Jamui

.... Petitioner/s

Versus

1. The State Of Bihar
2. Principal Secretary, Road Construction Department, Govt. Of Bihar, Vishvesaria Bhawan, Patna
3. Engineer - In - Chief - Cum - Additional Commissioner - Cum - Special Secretary, Road Construction Department, Govt. Of Bihar, Vishvesaria Bhawan, Patna
4. Joint Secretary, Road Construction Department, Govt. Of Bihar, Vishvesaria Bhawan, Patna
5. Deputy Secretary, Road Construction Department, Govt. Of Bihar, Vishvesaria Bhawan, Patna
6. Under Secretary, Road Construction Department, Govt. Of Bihar, Vishvesaria Bhawan, Patna
7. Executive Engineer, Rural Work Department, Work Division, Rajauli, District - Nawada
8. Deputy Collector Incharge District General Administration, Munger

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajni Kant Jha

For the Respondent/s : Mr. Yogesh Kumar, A.C. to S.C. 9

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 06-09-2016

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

2. Learned counsel for the petitioner submits that the
petitioner was appointed as a Junior Engineer in the Rural Works
Department, Bihar with effect from 21.01.1988. He has already
discharged more than 25 years of service but has not been granted 1st
A.C.P. and the 2nd A.C.P. and, hence, a prayer has been made in this
writ application that the respondent authority concerned be directed to

grant 1st A.C. P. with effect from 21.01.2000 and the 2nd A.C.P. with effect from 21.01.2012 with compound interest.

3. Learned counsel for the State submits that the Rural Works Department, Government of Bihar has been trifurcated, 1st is the Road Construction Department, 2nd is the Building Construction Department and the 3rd is the Rural Works Department and the petitioner's services has been allotted in the Rural Works Department and his case should be considered by the cadre head of the Rural Works Department, who is the Engineer-in-Chief-cum-Additional Secretary-cum-Special Secretary, Rural Works Department, Government of Bihar, Patna. In paragraph 8 of the counter affidavit it has been stated that the Road Construction Department vide letter no. 1732(E) dated 21.04.2014 has requested the Engineer-in-Chief, Rural Works Department, Bihar, Patna to do the needful in respect of the claim of the writ petitioner.

4. In such view of the matter, let the petitioner file a proper representation before the Engineer-in-Chief-cum-Additional Secretary-cum-Special Secretary, Rural Works Department, Government of Bihar, Patna giving the facts in detail along with a copy of this order who will consider the same and pass an appropriate order in accordance with law within three months from today after giving due opportunity of hearing to the petitioner.

5. This writ application is disposed of with the above observation/direction.

(Shivaji Pandey, J)

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