

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15567 of 2008

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Smt. Janki Kumari , W/o Late Ram Keshwar Prasad, resident of village Manghiawan, P.O. and P.S. Paraiya District Gaya At present Resident of Mohalla Barmasia Near Haribol Mandir P.O. and P.S. Dhanbad District Dhanbad

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Art, Culture and Youth Department Bihar , Patna
2. The Principal Secretary, Art, Culture and Youth Department, Vikas Bhawan patna
3. The Director (Youth Affair) Cum Joint Secretary, Govt. of Bihar, Art, Culture and Youth Department Vikash Bhawan, Patna
4. Commissioner Department of Finance Govt. of Bihar, Patna
5. The District Education Officer, Dhanbad
6. The Accountant General, Bihar, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bankey Bihari Singh

For the Respondent/s : AC to SC – 9

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4 04-04-2017 Heard Sri Bankey Bihari Singh, learned counsel for the petitioner and learned AC to SC No. 9.

In the present writ petition the original petitioner had made a prayer for grant of benefit of 1st and 2nd ACP.

In this case a counter affidavit was filed on behalf of the respondent nos. 1 to 3 and in paragraph no. 6 of the counter affidavit a specific stand has been taken that the benefit of 1st and 2nd ACP has already been granted. During pendency of the writ petition the sole petitioner left for heavenly abode and as such, a



substitution petition was filed vide I.A. No. 5907 of 2009, which was allowed on 21.09.2015 and the widow of the deceased petitioner was directed to be substituted after expunging the name of the sole petitioner.

Learned counsel for the petitioner in view of changed circumstances submits that since the benefit of 1st and 2nd ACP has already been granted, the substituted petitioner is entitled to get all consequential benefits.

It goes without saying that if benefit of ACP has been granted to the original petitioner, the petitioner/ widow of the deceased petitioner is entitled to get all consequential benefits.

The writ petition stands disposed of.

(Rakesh Kumar, J)

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