

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13125 of 2016

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Bibha Nandan Prasad S/o Late Yadu Nandan Prasad R/o Shastri Nagar, P.O. + P.S.
+ District - Jamui

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary Law Department, Bihar, Patna
3. The District and Sessions Judge, Jamui
4. The Registrar, Civil Court, Jamui
5. The Treasury Officer, Jamui
6. The Accountant General, Bihar, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar Sinha, Advocate
For the State	:	Mr. Kaushal Kumar Jha, AAG 8
For the Respondents No. 3 and 4	:	Mr. Bindhyachal Singh, Advocate
For the Respondent No. 6	:	Mr. Kumar Priya Ranjan, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 19-08-2017

Heard learned counsel for the petitioner; State;
respondents no. 3 and 4 and the Accountant General.

2. The grievance of the petitioner which appears to still
exist, relates to grant of ACP to him in the year 2015 but without there
being consequential revision of his pension as he superannuated on
30.06.2012.

3. Learned counsel for the respondents submitted that if
the benefit of ACP has been granted to the petitioner, it is only



consequential and formal and appropriate revision of the earlier pension of the petitioner has only to be made.

4. Learned counsel for the Accountant General submitted that he would be issuing the revised Pension Payment Order upon receipt of sanction from the concerned Competent Authority.

5. Learned counsel for the petitioner submitted that besides non-revision of his pension, the benefits of the Shetty Commission recommendation, which have been accepted, have also not been paid.

6. On a specific query of the Court as to what were such benefits which were not paid, learned counsel for the petitioner submitted that he is not aware of the same.

7. Having regard to the aforesaid, the writ petition stands disposed off with a direction to the respondent no. 4 to ensure that appropriate sanction order is sent to the Accountant General, if already not sent, with regard to grant of ACP to the petitioner, within four weeks from the receipt of a copy of this order by him, after verifying the records, in accordance with law. The Accountant General, upon receiving the same, shall ensure that revised Pension Payment Order is issued in favour of the petitioner within the next three weeks. The respondent no. 5 shall thereafter ensure that actual



payment is credited in the account of the petitioner within the next three weeks, for which learned counsel for the petitioner shall serve a copy of this order on respondent no. 5 also.

8. With regard to his remaining grievance of benefits of Shetty Commission recommendation not being paid to the petitioner, he shall be at liberty to file a detailed and specific representation before the respondent no. 3 within three weeks from today. If the same is done, the respondent no. 3 shall pass appropriate orders within two months thereafter.

(Ahsanuddin Amanullah, J)

Anjani/-

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