

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.478 of 2006**

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Sima Devi @ Sima Singh, wife of Surya Kumar Aatrey, resident of Village-Prastampur, P.O.- Nokha, P.S.- Dinara, District- Rohtas (Sasaram).

.... .... Petitioner

Versus

1. The State of Bihar through the Secretary, Department of Finance, New Secretariat, Patna.
2. The Director, Land Acquisition & Rehabilitation under Water Resources Department, Govt. of Bihar, Patna
3. The District Magistrate, Rohtas at Sasaram
4. The Special Land Acquisition Officer, Rohtas at Sasaram
5. Pramila Devi, daughter of Late Bhrigun Singh, resident of Village-Prastampur, P.O.- Nokha, P.S.- Dinara, Distt.- Rohtas (Sasaram)
6. Devanti Devi daughter of Late Bhrigun Singh, resident of Village - Prastampur, P.O.- Nokha, P.S.- Dinara, Distt.- Rohtas (Sasaram)
7. Mira Devi daughter of Late Bhrigun Singh, resident of Village - Prastampur, P.O.- Nokha, P.S.- Dinara, Distt.- Rohtas (Sasaram)
8. Amrita Devi daughter of Late Bhrigun Singh, resident of Village - Prastampur, P.O.- Nokha, P.S.- Dinara, Distt.- Rohtas (Sasaram)

.... .... Respondents

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**Appearance :**

For the Petitioner : Mr. Shashi Shekhar Tiwary, Advocate.  
For the Respondents : Mr. Anshuman Singh, AC to AG

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

**ORAL JUDGMENT**

**Date: 13-10-2017**

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

2. The present writ petition has been filed for the  
following reliefs:

“(i) To grant 2<sup>nd</sup> Time Bound Promotion w.e.f. 25.03.1991  
on completion of 25 years of regular service.

(ii) To insure consequential benefits accrued on account  
of said 2<sup>nd</sup> Time Bound Promotion.



- (iii) To examine the candidature of the petitioner for the benefit of A.C.P. Scheme and accord the same subject to entitlement accordingly.
- (iv) To grant additional pay for the period of 05.12.1995 to 31.12.2000 during which the petitioner duly worked as Kanoongo in addition to work of Surveyor.
- (v) To grant any other relief to which the petitioner may be found entitled.

3. At the very outset, learned counsel for the State submits that according to the counter affidavit filed on behalf of the respondent no. 4, the claim of the petitioner with regard to 2<sup>nd</sup> Time Bound Promotion and ACP are under active consideration having been placed before the Departmental Empowered Committee as well as Finance Department in the light of other similar cases allowed by this Court.

4. Learned counsel for the petitioner submits however that the counter affidavit is silent with regard to the claim for additional pay for the period 05.12.1995 to 31.12.2000.

5. Having regard to the nature of the prayer of the petitioner and the stand of the respondents, the writ petition is disposed of with a direction to the Director, Land Acquisition & Rehabilitation under Water Resources Department, Govt. of Bihar, Patna (respondent no. 2) to consider the claims of the petitioner including the claim with regard to additional pay for the period 05.12.1995 to



31.12.2000 and dispose of the same, expeditiously and in any event preferably within a period of three months from the date of receipt/production of a copy of this judgment. If any amount is found admissible to the petitioner, the same shall be paid within a period of two months from the date of such determination of the petitioner's claim by the respondent no. 2. If such amount is not paid to the petitioner within the stipulated period then the petitioner would be entitled for simple interest at the rate of 6% per annum to be calculated from the date it became due till the date of its final payment.

**(Vikash Jain, J)**

Md. Ibrarul/BT

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