

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.576 of 2016
Arising out of
Civil Writ Jurisdiction Case No. 10975 of 2008**

- =====
1. The State of Bihar
 2. The Principal Secretary/Secretary, Building Construction Department, Vishweshwaraiya Bhawan, Bailey Road, Patna
 3. The Engineer-in-Chief-cum- Additional Commissioner-cum-Special Secretary, Building Construction Department, Vishweshwaraiya Bhawan, Bailey Road, Patna
 4. The Chief Engineer (South), Building Construction Department, Vishweshwaraiya Bhawan, Bailey Road, Patna
 5. The Superintending Engineer, Building Construction Department, Patna Bhawan Anchal, Rajbanshi Nagar,, Patna
 6. The Executive Engineer, Nalanda Bhawan Pramandal Biharsharif (Nalanda)

.... Appellant/s

Versus

1. Shyam Sundar Prasad Singh, son of Late Ram Yatan Prasad Singh, resident of Mohalla- Magadh Colony, Bari Pahari, P.O.+P.S. Sohsarai, District- Nalanda
2. The Accountant General/A & E, Bihar, Patna

.... Respondent/s

=====

Appearance :

For the Appellant/s :

For the Accountant General : Mr. Bindhyachal Rai, Advocate

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 07-07-2017

None appears for the appellants. Sri Bindhyachal Rai

for the Accountant General. Perused the records.

2. Delay of 137 days in filing of the appeal is condoned. I.A. No. 2578 of 2016 stands allowed and disposed of.

3. This is State's appeal under Clause 10 of the Letters Patent challenging a direction issued by the learned Writ Court



mandating the State and the department concerned to consider the case of the writ petitioner Sri Shyam Sundar Prasad Singh for grant of A.C.P.

4. On going through the records, we find that the learned Court has only directed for reconsideration of the matter under the A.C.P. Scheme based on benefit granted to similarly situated employees and take a decision within a period of three months. As the direction issued is only for reconsideration with certain observations, we find no reason to make any indulgence into the matter.

5. The Letters Patent Appeal stands dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	11.07.2017
Transmission Date	

