

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.777 of 2015

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1. Nirmal Kumar son of late Raj Ballabh Ram Resident Of Mohalla- Vishunpuri,
Chitkohra, Police Station - Gardanibagh, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare Department
Govt. of Bihar, Patna.
2. The Director, Integrated Child Development Services, Bihar, Patna.
3. The Divisional Commissioner, Magadh Division, Gaya.
4. The District Magistrate, Gaya.
5. The District Programme Officer, Gaya.
6. The Child Development Project Officer, Paraiya, Gaya.
7. The Accountant General, Bihar, Patna
8. The State Bank of India, Near Gaya Court, Gaya, Branch code-79 through its
Branch Manager.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha, Adv.
For the State : Mr. Ashish Kumar Lal, A.C. to G.A.-5
For State Bank of India : Mr. Kaushlendra Kumar Sinha, Adv.
For Accountant General : Mr. Mani Kant Mishra, Adv.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 19-08-2017

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

2. It would be evident from the record that save and except
the benefit of second A.C.P., all other death-cum-retiral dues of late
Gayatri Singh (wife of the petitioner) have already been paid to the
petitioner.

3. So far as the benefit of second A.C.P. is concerned, in
the main counter affidavit filed on behalf of the respondent nos.5 and



6, it has been stated that the payment could not be made on account of absence of allotment. In the supplementary counter affidavit filed on behalf of the respondent no.6, a prayer has been made for grant of two months time in order to pay the admissible benefits of second A.C.P. to the petitioner.

4. Considering the nature of the claim, the writ petition is disposed of with a direction to the respondent no.6 to make payment of second A.C.P. of the deceased employee to the petitioner in accordance with law positively within two months from today. In case of any delay in payment of the amount, the respondent no.6 shall be held accountable.

(Ashwani Kumar Singh, J)

Pradeep/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	23-08-2017
Transmission Date	

