

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1331 of 2016

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1. Gayatri Sinha W/o Dr. Kuldip Singh R/o Mohalla- Bhagawat Nagar,
Kumharar, P.s- Agamkuan, District Patna-26 Petitioner

Versus

1. The State of Bihar.
2. The Principal Secretary, Department of Education , Bihar ,Patna.
3. The Director, Higher Secondary Education ,Bihar,Patna.
4. The Special Secretary, Higher Education , Bihar,Patna.
5. The Principal , Government Womens College, Guljarbag, Patna.
6. The District Provident Fund Officer, Patna.
7. The Treasury Officer, Patna City, Patna Respondents

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Appearance :

For the Petitioner : Mr. Dr. Raj Kumar Singh, Adv.
For the Respondents : Mr. Saroj Kumar, AC to GP VIII

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 19-02-2018 Heard the learned counsel for the petitioner and the

learned counsel appearing for the State.

In the counter affidavit filed on behalf of respondents

1 to 4 specific stand has been taken in paragraphs 8 and 9, which

read as follows :

“8 : That it is stated that Sub Rule 2 of Rule 7 of the
ACP Rules, 2003, as amended till date, stipulated
that the meeting of the Screening Committee will be
held twice in a financial year, if possible, in the first
week of the month of January and July to consider
the grant of ACP to the ministerial employees of
different institutions mentioned in the notification
which include the present college.

9 : That it is stated that the case of the petitioner for
grant of ACP will be considered in the next meeting



of the said Screening Committee.”

In view of the averments made in paragraphs 8 and 9 of the counter affidavit, the writ application is **disposed of** with a direction to the respondent-authorities to take final decision with regard to the entitlement of the petitioner for grant of ACP and MACP within a maximum period of three months, from the date of receipt/production of a copy of this order.

While deciding the claim of the petitioner, the respondents are required to consider the averments that the juniors to the petitioner have been granted such benefit, but, the petitioner has been discriminated.

(Anil Kumar Upadhyay, J)

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