

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18144 of 2010

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Nageshwar Prasad Yadav S/O Late Madho Prasad Yadav R/O Vill.- Narhi,
Hanumannager, P.S.- Madhepura, Distt.- Madhepura

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary Water Resources Department, Government Of Bihar, Patna
3. The Deputy Secretary Water Resources Department, Government Of Bihar, Patna
4. The Chief Engineer, Water Resources Department, Dehri-On-Sone, Distt.- Rohtas
5. The Executive Engineer, Sone Cnal Division, Ara, Distt.- Bhojpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Satish Chandra Jha 3
For the Respondent/s : Mr. (Gp13)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 21-06-2018 The petitioner by way of the present writ petition has prayed for grant of 1st ACP w.e.f. 9.8.1999 on the ground that prior to the year 2006 no examination has been conducted and the petitioner has passed at the very first opportune movement when the examination was conducted. It has been further prayed to shift back the date of first and second ACP as prayed in the writ petition as similarly situated persons have already been granted the said benefits vide office order contained in Memo No.511 dated 2.3.2009.

The learned counsel for the respondents referring to the counter affidavit has submitted that as far as the claim of the



petitioner for grant of first ACP , in the pay scale of Rs.5000-8000 and second ACP in the scale of Rs.5500-9000, is concerned, the proposal has already been sent to the finance department for concurrence.

Having regard to the facts and circumstances of the case as also the positive averment made by the respondents in the counter affidavit as also the fact that similarly situated employees have already been granted the aforesaid benefits vide office order dated 2.3.2009, the respondents are directed to grant the same benefit to the petitioner herein within a period of six weeks from today.

The writ petition is allowed.

(Mohit Kumar Shah, J)

BTiwary/-Md Rashid

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