

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2054 of 2015

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1. Shatrughan Jha Son of Late Balbhadra Jha, Resident of Village - Dwarikapur,
Police Station - Sakra, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Chief Secretary, Government of Bihar, Patna.
3. The Director, Land Acquisition and Punarwa, Water Resources Department,
Bihar, Patna.
4. The Accountant General Bihar, Patna.
5. The Special Land Acquisition Officer, Gandark Project, Muzaffarpur.
6. The Treasury Officer, Muzaffarpur.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ranjan Kumar, Advocate
For the Respondent/s	:	Ms. Archana Meenakshee, GP 6 Mr. Harish Singh Goldie, Advocate
For the A.G.	:	Dr. Anand Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 16-07-2018

Heard learned counsel for the petitioner and the
respondent State

2. The petitioner's admissibility in respect of benefits of
first and second ACP was considered by the Departmental
Empowered Committee in its meeting dated 03.08.2016. The minutes
of the meeting has been annexed as annexure B to the counter
affidavit. The Committee has observed that the petitioner's case as
well as the others claiming benefits of first and second ACP was to be
examined with reference to the benefit granted to other six persons.
Committee has taken note of the fact that the High Court has granted



liberty to consider the retired/deceased employees’ claim for grant of first and second ACP after confirmation of their services. If the petitioner’s case is similar to those other six persons whose matter has been considered by the Departmental Empowered Committee then after obtaining concurrence of the Finance Department, benefits would be made available to the petitioner also.

3. Neither counsel for the State nor the petitioner is in a position to inform the Court whether the final decision has been taken till date.

4. In view of such circumstance and in light of the decision of the Departmental Empowered Committee brought on record by the respondent State, no useful purpose would be served by keeping the instant writ petition pending.

5. The writ petition is disposed off.

6. The petitioner would be entitled to benefits under first and second ACP pursuant to the decision of the Departmental Empowered Committee dated 03.08.2016 subject to concurrence of the Finance Department.

(Madhuresh Prasad, J)

Prakash/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	18.07.2018
Transmission Date	

