

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 20240 of 2014

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Urmila Devi W/o Late Suchit Prasad Singh R/o Village- Abhaypur, P.O.- Abhaypur, P.S.- Surajgarha, District- Lakhisarai, at present r/o- Professor Colony, Power House Colony Road, Begusarai, Deep Shekha Road, P.S.- Begusarai, Dist.- Begusarai

.... Petitioner/s

Versus

1. The State of Bihar, through the Secretary, Road Construction Department, Govt. of Bihar, Patna
2. The Chief Engineer, Road Construction Department, Govt. of Bihar, Patna
3. The Executive Engineer, Construction Department Road Division, Begusarai
4. The Superintending Engineer, Road Construction Department, Begusarai
5. The Accountant General, Birchand Patel Path, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : M/s Rakesh Kr, Abhimanyu Vatsa,
Rajni Kant Singh, Advocates

For the Respondent/s : Mr Manoj Kr Sinha, AC to GA IX

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 24-07-2018

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

2 The benefits under the Assured Career Progression (for brevity, *ACP*) Scheme were earlier denied to the husband of the petitioner on account of pendency of Vigilance Police Station (for brevity, *PS*) Case No 19 of 1996. The husband of the petitioner passed away on 31.05.2013 leading to the end in the criminal proceedings arising out of Vigilance PS Case No 19 of 1996. The petitioner, therefore, filed the instant writ petition claiming benefits



under the ACP scheme.

3 Counter affidavit has admitted the claim of the petitioner. Specific stand is that the Vigilance PS Case No 19 of 1996 has been disposed of after the death of petitioner's husband and the petitioner's husband late Suchit Prasad Singh has been included in the list of persons entitled to get benefit of ACP and the same is only to be processed as per the RCD letter dated 16.03.2015 bearing Memo No 2342 (S). The said stand was taken in the instant proceedings by filing a counter affidavit way back in July, 2015. Till today, learned counsel for the petitioner submits that the benefits have not been given.

4 Since the decision in favour of the petitioner has already been taken acknowledging the benefits of ACP, no useful purpose will be served in keeping the writ petition pending.

5 The writ petition is disposed of with a direction that respondent No 1 would ensure that benefits, pursuant to the said decision taken note of hereinabove, are made available to the widow of the Government employee without any further delay and preferably within a period of eight weeks from the date of receipt/production of a copy of this order.

6 In case of failure to make available the benefits within the said period, the dues shall carry interest at the rate of 10% with



effect from the date of the letter dated 16.03.2015 that is the decision in favour of petitioner’s late husband.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	25.07.2018
Transmission Date	NA

