

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16929 of 2016

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Damodar Pandit Son of Late Gurucharan Pandit Resident of Mohalla -
Sahebganj, P.O. Champangar, P.S. University (Kotwali), District - Bhagalpur

... .. Petitioner/s

Versus

1. The Tilka Manjhi Bhagalpur University through the Vice Chancellor
2. The Vice Chancellor, Tilka Manjhi Bhagalpur University, Bhagalpur
3. The Registrar, Tilka Manjhi Bhagalpur University, Bhagalpur
4. The Finance officer, Tilka Manjhi Bhagalpur University, Bhagalpur
5. The Librarian, University Central Library, Tilka Manjhi Bhagalpur University, Bhagalpur
6. The State of Bihar through the Joint Secretary, Higher Education, Government of Bihar, Patna

... .. Respondent/s

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Appearance :

For the Petitioner	:	Mr. Radha Raman Verma
For the University	:	Mr. Shivendra Shankar
For the Respondent/s	:	Mr. Prabhat Ranjan Singh, AC to- Aag15

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 30-11-2018 Heard learned Counsel for the petitioner and the

learned Counsel for the respondent State as also the learned

Counsel appearing on behalf of the University.

There is nothing on record to show that the petitioner has ever approached the authorities in respect of the grievances raised in the instant writ proceedings. He has approached this Court for grant of second ACP with effect from 9.8.1999 considering the fact that he has completed 24 years of regular service on the said date. Since there is no demand and refusal by the authorities in respect of the claims raised by the petitioner in the instant writ proceeding there is no occasion for this Court to



exercise jurisdiction at this stage.

The respondents have filed an affidavit stating that as per order No. 215/2015 dated 18.4.2015 the petitioner was granted benefits admissible to him under the head ACP. Accordingly the first ACP was granted with effect from 9.8.1999 and the second with effect from 24.2.2000.

The petitioner has retired from service on 31.10.2005 without ever raising the dispute regarding said grant or claiming that the said grant be shifted back. He has directly approached this Court by filing the writ petition in the year 2016.

In view of the above situation there is no occasion for this Court to exercise its jurisdiction. The petitioner may approach the authorities for shifting back the date of grant of ACP.

The writ petition is dismissed.

(Madhuresh Prasad, J)

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