

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.468 of 2017

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Ganauri Pateshwari, Son of Late Radhey Pateshwari, Resident of Village-
Jogia, Post Office and Police Station- Chandi, District- Nalanda.

.... Petitioner

Versus

1. The State of Bihar.
2. The Principal Secretary, Water Resources Department, Government of Bihar, Patna.
3. The Director, Land Acquisition and Rehabilitation, Water Resources Department, Government of Bihar, Patna.
4. The Special Land Acquisition Officer, Middle Irrigation Project, Water Resources Department, Jamui, Bihar.
5. The Accountant General, Bihar, Birchand Patel Path, Patna- 800001.
6. The Principal Secretary, Finance Department, Government of Bihar, Patna.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Shakib Ayaz, Advocate
Mr. Parijat Saurav, Advocate
For the Respondent/s : Mr. Vikash Kumar- Sc11

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 05-01-2018 Heard Mr. Parijat Saurav, learned counsel for the

petitioner, counsel for the State and learned counsel for the

Accountant General.

The petitioner prays for a direction in the nature of
mandamus commanding the respondents to compute and pay his
salary after granting him the benefit under the ACP/MACP
Schemes.

A counter affidavit is filed on behalf of the Principal
Secretary, Water Resources Department, Government of Bihar.



The grievance has been accepted as manifest from paragraphs 9 and 10 in which the respondent nos.1 to 4 have accepted the claim of superannuated employees in a decision taken in the meeting held on 3.8.2016 present at Annexure-A. It is stated at paragraph-10 that the matter of grant of Time Bound Promotion/ACP/MACP as admissible to the employees has been referred to the Finance Department and on concurrence being given, necessary order would be passed.

Learned counsel for the State submits that the matter is pending before the Finance Department. In the circumstances so discussed, leave is granted to learned counsel for the petitioner to add the Principal Secretary, Department of Finance, Government of Bihar as respondent no.6 during the course of the day and let necessary corrections be made in the Court pleadings as well as the State pleadings.

Having heard learned counsel for the parties and considering the statement present at paragraph-10 of the counter affidavit filed on behalf of respondent nos.1 to 4, I deem it proper to dispose of the writ petition with the direction to the Principal Secretary, Department of Finance, the respondent no.6, to take a final decision on the issue in the light of the recommendation



placed before him by the Water Resources Department as stated in paragraph-10 of the counter affidavit and since the matter relates to superannuated employees, let a decision be taken expeditiously and preferably within a period of three months from the date of receipt/production of a copy of this order.

This disposes of the writ petition.

(Jyoti Saran, J)

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