

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10968 of 2014

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Dr. Ram Lala Gami, Incharge Medical Officer, Referral Hospital, Phulparas, District
- Madhubani. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Government of Bihar, Patna.
2. The Secretary, Department of Health, Medical Education and family Welfare
Government of Bihar, Patna.
3. The Additional Secretary, Department of Health, Government of Bihar, Patna.
4. The Director, Health Services, Government of Bihar, Patna.
5. The Deputy Director, Health Services Government of Bihar, Patna.
6. The Civil Surgeon-Cum-Chief Officer, District - Madhubani.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Lakshmindra Kumar Yadav, Advocate
For the Respondent/s : Mr. Y.P. Sinha, AAG 7
Mr. Shankar Kumar, AC to AAG 7

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 18-01-2018

In respect of the petitioner's claim in the writ petition, this Court had earlier vide order dated 30.11.22017 granted time to the State counsel to inform the Court as to what action has been taken to process and settle the claim of the petitioner pursuant to Annexure B of the counter affidavit filed in the instant case wherein it has been stated that the matter for grant of ACP/DACP to the petitioner is under consideration in view of the unfortunate demise of the petitioner's husband during pendency of the instant writ petition.



2. Such stand was taken in light of the notification dated 06.09.2016 issued by the Government in the Health Department, whereby considering the unfortunate demise of the petitioner's husband it was decided to drop the pending departmental proceedings against the husband of the petitioner.

3. Today a supplementary counter affidavit has been filed wherein it is specifically stated that the matter for grant of ACP and DACP was considered by the Departmental Screening Committee and the recommendation for grant of the said benefit has been approved by the Departmental Promotion Committee in its meeting dated 11.12.2017. The relevant approval is placed on record as Annexure-A to the supplementary counter affidavit. Annexure B is the notification whereby sanction has been communicated to the office of the Accountant General pursuant to the said decision for grant of benefit of first ACP in the pay scale of Rs. 10,000-16,500/- with effect from 09.08.1999, ACP in pay scale of 12,000-16,500/- with effect from 01.04.2005 and 3rd DACP in the pay scale of 14,500-18,300/-. Further 9th revised pay scale Rs. 37,400-67,000/- and pay band-4, grade pay 8700/- w.e.f., 25.11.2008 has been sanctioned in favour of the husband of the petitioner.

4. In view of the aforesaid, the counsels agree that the



relief prayed for in the instant writ petition has been allowed by the respondent-State and that no further orders need be passed in the instant writ petition.

5. In view of the aforesaid position, the writ petition is dismissed as infructuous.

(Madhuresh Prasad, J)

Prakash/-

AFR/NAFR	
CAV DATE	
Uploading Date	20.01.2018
Transmission Date	

