

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9850 of 2018

Shiv Dhari Prasad Sah Son of Late Vilat Sah, Resident of Village and Post
Office- Mushaharnia, Police Station- Shonbarsha, District- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
2. The Principal Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
3. The Joint Secretary, Food and Consumer Protection Department, Government of Bihar, Patna.
4. The District Magistrate, Madhepura.
5. The District Magistrate, Samastipur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Anand Kumar Ojha, Adv.
Mr. Ashok K. Karna, Adv.
For the Respondent/s : Mr. Arvind Ujjwal- SC4

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL JUDGMENT

Date : 26-07-2019

Heard learned counsel for the parties.

In the present writ application, the limited grievance has been raised that the petitioner has superannuated from service as Block Supply Officer from Biraul sub division, Darbhanga and he has been receiving the basic salary without addition of any increment, promotion or even the benefit of A.C.P.

While the petitioner was posted at Madhepura, his Service Book was misplaced and, thereafter, he has been deprived of the benefit of service by way of promotion, increment or the A.C.P. Time to time, different authorities have written a letter to Madhepura to remit the Service Book of the petitioner but, till date, the same is



traceless and, thereafter, the petitioner got retired from service on 30.9.2017 and, on account of non-availability of the Service Book, he is not receiving any pension or the pensionary benefit.

In that view of the matter, this Court directs the Principal Secretary, Food and Consumer Protection Department, Government of Bihar to look into the matter and ensure construction of the Service Book of the petitioner and grant the benefit of increment and promotion -cum- A.C.P. if he is entitled including his pension and the pensionary benefit should be fixed taking into consideration the proper pay.

For convenience, the petitioner is given liberty to make a representation enclosing a copy of this order to the Principal Secretary, Food and Consumer Protection Department, Government of Bihar who will conclude the entire process within a period of six months from the date of filing of the representation by the petitioner.

With the aforementioned observation and direction, this writ application is disposed of.

(Shivaji Pandey, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	31.07.2019
Transmission Date	

