

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4277 of 2016

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Surendra Jha son of Late Ram Sunder Jha, resident of village- Mahthi Tola
Alampur, P.S.- Bibhutipur, District- Samastipur

... .. Petitioner/s

Versus

1. The State Of Bihar through the Director Land Acquisition and Reforms
Water Resources Department, Bihar, Patna
2. The Gandak Project, Muzaffarpur, P.S.-Muzaffarpur Town, District-
Muzaffarpur
3. The District Magistrate, Muzaffarpur
4. The Special Land Acquisition Officer, Gandak Project Yojna, Muzaffarpur
5. The Land Acquisition and Reforms Gandak Yojna, Muzaffarpur, P.S.-
Muzaffarpur Town, District- Muzaffarpur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey
For the Respondent/s : Mr.Dhurendra Kumar AC to GP5

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 01-05-2019 Heard counsel for the petitioner and counsel for the
respondent-State.

Claim of the petitioner in writ petition is for grant of
ACP benefit.

State has taken stand in the counter affidavit that due
to non-passing of departmental examination as well as
implication of the petitioner in Vigilance P.S. case no. 04/1997
services of the petitioner was not confirmed. It is also submitted
that prior to passing of order cancelling the petitioner's
promotion on 12.9.2007 (annexure 3) show cause notice was
issued to the petitioner, but the petitioner chose not to respond



to the said notice.

As regards benefit of ACP and MACP to the petitioner and others employees who were illegally or irregularly appointed in the office of the respondents, it is the stand of the respondents that matter would be placed before the Department level empowered committee under the State Litigation Policy, 2011 for final decision. The said stand of the respondents is not denied or disputed by counsel for the petitioner.

Reasons indicated in the counter affidavit even otherwise are such that do not require any interference by this court.

Writ petition is devoid of merit and same is dismissed.

(Madhuresh Prasad, J)

s.hassan/-

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