IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 4668 of 2016

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Braj Kishore Prasad, son of Late Mahabir Yadav, resident of Mohalla - Shiv Puri, Road No. 1C, P.S. Shastri Nagar, District Patna

... ... Petitioner/s

Versus

1. The State Of Bihar
2. The Secretary, Rural Works Department, Bihar, Patna.
3. The Deputy Secretary, Rural Works Department, Bihar, Patna.
4. The Chief Engineer, I, Rural Works Department, Bihar, Patna.
5. The Executive Engineer, Office of Chief Engineer, I, Rural Works Department Bihar, Patna.
6. The Senior Account Officer, Office of Accountant General, Bihar, Patna.
7. The Treasury Officer, Secretariat Treasury, Nirman Bhawan, Bihar, Patna.
8. The Accounts General, Bihar, Patna.
9. The Deputy Development Commissioner, Purnia, District Purnia.

... ... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr Sushanta Kumar Das, Advocate
For the Respondent/s	:	Mr.K.K. Jha- Aag14
For Respondent No 8	:	Mr Manish Kr, Advocate

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 **20-06-2019** Heard learned consul for the petitioner and the respondent-State.

Writ petition has been filed claiming payment of arrears on account of Assured Career Progression (for brevity, *ACP*) and some other dues amounting to Rs 15,872/- claimed by the petitioner on basis of Annexure 1.

Counter affidavit of the Accountant General reveals that the revised pension, gratuity on the basis of revised pay after ACP, were authorized by the office of the Accountant General on 17.10.2013 itself. It is the specific stand in the counter affidavit of the Accountant General that no authorization for any revised pay is required to be issued in respect of the petitioner.

Petitioner has not filed any rejoinder or reply to the counter affidavit of the Accountant General.

Learned counsel for the petitioner, however, submits that he has instruction that payments in light of the authorization have not been made to the petitioner. The petitioner has also raised a grievance regarding non-payment of pre audit bill of Rs 15,872/- on the basis of Annexure 1.

Since, all the benefits have already been authorized as per stand of the office of the Accountant General, if any payment has not been made pursuant to the said authorization, the petitioner will be at liberty to approach respondent No 4 with a detailed representation for the pending dues.

It is submitted by the petitioner's counsel that he would give his detailed claim/representation within four weeks.

In the event, such application is filed, respondent No 4 should take steps to ensure payments which are dues and admissible to the petitioner in light of authorization dated

17.10.2013 issued by the office of the Accountant General (Annexure K to the counter affidavit of the Accountant General) as well as on account of pre audit bill of the petitioner deposited on 13.03.2000 in the office of the respondent-authority.

Let action be taken by respondent No 4 expeditiously and without any undue delay and preferably within one month from the date of receipt/production of a copy of this order.

(Madhuresh Prasad, J)

M.E.H./-

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