

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5641 of 2019

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Awadhesh Pandey, son of Late Rajdeo Pandey, resident of Flat No. 202,
Mirambica Apartment, Boring Road Chauraha, P.S.- S.K.Puri, Distt.- Patna at
present Ward No. 11, Bhabua, P.O. and P.S.- Bhabua, Distt.- Kaimur (Bhabua)

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Govt. of Bihar, Patna
2. The Principal Secretary, General Administration Department, Govt. of Bihar, Patna
3. The Joint Secretary, Department of Personnel and Administrative Reforms, Govt. of Bihar, Patna
4. The Deputy Secretary, Department of Personnel and Administrative Reforms, Govt. of Bihar, Patna
5. The Secretary, Department of Finance, Govt. of Bihar, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar Seth, Adv
For the Respondent/s : Mr. P.K.Verma (AAG-3)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 11-04-2019

The petitioner, despite being entitled for the first, second and third ACP for having served the State of Bihar for 33 years, is not being paid the same for no apparent good reason. Hence, the writ petition.

2. The learned counsel appearing for the State, however submits that the petitioner, during his service tenure had been subjected to a departmental proceeding and was punished. However, for the present, he is not in a position to defend the situation where the petitioner has not



been paid the first, second and third ACP.

3. The representations which have been filed by the petitioner before the concerned authorities have yet not been responded to.

4. The learned counsel for the petitioner has submitted that petitioner would be satisfied if he is given the liberty to represent his case before the Principal Secretary, General Administration Department, Government of Bihar, Patna (respondent No. 2), who, after verifying the facts, shall pass necessary orders, in accordance with law.

5. The prayer of the petitioner appears to be reasonable.

6. For the facts stated above, this Court directs the petitioner to make a fresh representation before the Principal Secretary, General Administration Department, Government of Bihar, Patna (respondent No. 2), detailing his grievances and also delineating in detail regarding his service tenure within a period of four weeks from today, who, on receipt of the same shall, after verifying the records, pass orders within a further period of eight weeks thereafter.



7. If the claim of the petitioner is found to be tenable, necessary sequel order shall be passed within the aforesaid period.

8. With the aforesaid observation/direction, the writ petition stands disposed off.

(Ashutosh Kumar, J)

Shageer/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	13/04/2019

