

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6359 of 2019

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Yogendra Baitha, son of Late Laxmi Baitha, Resident of Village, Post Office,
Police Station and Block-Sursang, District - Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Finance,
Government of Bihar, Patna.
2. The Joint Secretary, Department of Finance, Government of Bihar, Patna.
3. The District Magistrate Sitamarhi.
4. The District Panchayat Officer, Sitamarhi.
5. The District Accounts Officer, Sitamarhi.
6. The Block Development Officer Choraouth, District - Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner : Mr. Jitendra Kumar Roy, Advocate
For the Respondents : Mr. Raghwendra Kumar (SC-22)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 23-04-2019

Heard the learned counsel for the parties.

2. The petitioner has approached this Court for a direction to the respondent authorities for granting the benefit of first ACP and MACP to the petitioner from particular dates which have been referred to in Paragraph-1 of the petition. The representation which has been filed before the District Panchayat Officer, Sitamarhi has not been disposed of as yet.



3. Learned counsel for the petitioner has submitted that in case of Brajesh Kumar, (C.W.J.C. No. 9451 of 2013) whose case is exactly similar to that of the petitioner, a Bench of this Court vide order dated 05.08.2016 had directed for payment of the ACP to him without any delay.

4. Mr. Jitendra Kumar Roy, learned advocate for the petitioner submits that in view of such interpretation of the circular in that regard, an order with respect to the petitioner ought to be passed by the District Panchayat Officer, Sitamarhi as early as possible, preferably within a period of three months.

5. For expediting the process of consideration of the claim of the petitioner, the petitioner is directed to make a fresh representation before the District Panchayat Officer, Sitamarhi (respondent no. 4) within a period of four weeks from today enclosing a copy of this order, as also the order dated 05.08.2016 in C.W.J.C. No. 9451 of 2013 on receipt of which, the concerned respondent shall



dispose of the representation of the petitioner within a period of six weeks thereafter. If the claim of the petitioner is found to be tenable, necessary sequel order shall be passed within the aforesaid stipulated time.

6. With the aforesaid direction/observation, the writ petition is disposed of.

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	26.04.2019
Transmission Date	

