

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14807 of 2014

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1. Ram Chandra Mandal and Anr Son of Harihar Mandal Resident of village - Chakbunai, P.S. - Runnisaidpur, District - Sitamarhi.
 2. Ram Naresh Gupta Son of Janki Gupta Resident of Village - Bathai Dario Tola, P.S. - Patherwa, District - Kushi Nagar U.P.

... .. Petitioners

Versus

1. The State Of Bihar
2. The District Magistrate, Gopalganj.
3. The Circle Officer, Kateya, District - Gopalganj.
4. The Circle Officer, Hathua, Dist - Gopalganj.

... .. Respondents

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Srivastava
For the Respondent/s : Mr. Anil Kumar, AC to SC 8

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 12-03-2019 Heard learned Counsel for the petitioner and the learned Counsel for the respondent State.

It is submitted by petitioner's Counsel that benefits of ACP have been paid to him without considering his date of initial service in 1972.

Such statement is apparently misconceived as there is no such averment that ACP has been calculated by treating his service with effect from any date after 1972. The counter affidavit clearly states that benefit of first, second and third ACP have been paid and accordingly benefits have been extended to the pensionary benefits of the petitioner also. The



counter affidavit nowhere suggest that the petitioner's entitlement of first, second and third ACP has been calculated by treating his services from any date after 1972, as claimed by the petitioner. The averments made in the counter affidavit have also not been disputed or denied by filing a rejoinder, the copy of the counter affidavit was served upon the petitioner's Counsel way back in October 2015.

The writ petition is therefore disposed of in view of the facts that grievances of the petitioner has been redressed. However, if there is any error in calculation of the benefits and the petitioner is aggrieved by such calculation then he may represent before the appropriate authority.

(Madhuresh Prasad, J)

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