

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7528 of 2019

1. Khakhan Thakur Son of Late Bhola Thakur Resident of Village and Post Office- Rampur Bakhri, Police Station and Block- Dumra, District- Sitamarhi.
2. Ramchandra Singh Son of Late Ganga Singh Resident of Village- Murha Ghat, Post Office- Madhopur Malinia, P.S. Kanhauli, Block- Sonbarsha, District- Sitamarhi.
3. Lal Bihari Prasad Yadav Son of Late Beran Yadav Resident of Village- Lohashi, Post Office- Partapur, P.S. and Block- Belsand, District- Sitamarhi.
4. Ram Ekbal Singh Son of Late Rijhan Singh Resident of Village- Basant Khurd, Post Office-, Police Station and Block- Suppi, District- Sitamarhi.
5. Rameshwar Mahto Son of Late Ram Chandra Mahto Resident of Village- Patahi, Post Office- Marpa Kothi, Police Station and Block- Bairgania, 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 Sursand District- Sitamarhi.
7. The Block Development Officer Dumra District- Sitamarhi.
8. The Block Development Officer Runi Saidpur District- Sitamarhi.
9. The Block Development Officer Parsauni District- Sitamarhi.
10. The Block Development Officer Belsand District- Sitamarhi.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Jitendra Kumar Roy Mr. Sumit Kumar
For the Respondent/s	:	Smt. Anuradha Singh (SC21)

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 06-05-2019

1. Heard the learned counsel for the parties.



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

3. Learned counsel for the petitioners 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 petitioners, 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 petitioners submits that in view of such interpretation of the circular in that regard, an order with respect to the petitioners 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 petitioners, the petitioners is directed to make a fresh representation before the District Panchayat Officer,



Sitamarhi (respondent no. 4) within a period of our weeks from today enclosing a copy of this order, as also the order dated 05.08.2016 passed in C.W.J.C. No. 9451 of 2013, on receipt of which, the concerned respondent shall dispose of the representation of the petitioners within a period of six weeks thereafter. If the claim of the petitioners 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)

skm/-

AFR/NAFR	N.A.F.R.
CAV DATE	
Uploading Date	07.05.2019
Transmission Date	

