

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8062 of 2019

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Dr. Nand Kishore Singh S/o Late Rameshwar Prasad Singh Resident of
Village- Saraiya, P.S.- Goh, District- Aurangabad, Bihar-824203.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary Health and Family Welfare department, government of Bihar, Patna.
3. The Joint Secretary Health and Family Welfare department, government of Bihar, Patna.
4. The Under Secretary Health and Family Welfare department, government of Bihar, Patna.
5. The Account General A and E, Bihar, Birchand Patel Patna, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Sinha
For the Respondent/s : Mr. Ramadhar Singh (GP25)
For the Accountant General : Mr. Jitendra Kumar Roy, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 15-05-2019 Heard the learned counsel for the parties.

The petitioner, who retired from the post of the Deputy Superintendent, Jay Prakash Narayan Hospital, Gaya, has approached this Court for a direction to the respondent authorities to consider his case for grant of fourth Dynamic A.C.P., to which he is entitled after having served the department for 20 years and for other necessary consequential reliefs.

The petitioner was appointed as Medical Officer in



Bihar Health Services in the year 1981 and after rendering more than 20 years of service, he was made to retire. Admittedly, the petitioner has been given the benefits of 1st, 2nd and 3rd Dynamic A.C.P., but the benefit of fourth Dynamic A.C.P. has not yet been given to him though such benefit has been accorded to other similarly situated persons and even persons who were juniors to the petitioner. Notwithstanding the compulsory retirement of the petitioner, he has already served for more than 20 years, which entitles him for payment of the aforesaid financial progression under the fourth Dynamic A.C.P. Scheme.

The representations filed by the petitioner before the concerned authorities have not yielded any result.

Under the aforesaid facts and circumstances, this Court deems it appropriate to direct the petitioner to make a fresh representation before the Joint Secretary, Health and Family Welfare Department, Government of Bihar, Patna (Respondent No. 3), within a period of four weeks, detailing his grievances, who, on receipt of the same, shall dispose it off, after taking into account the facts and records of the



case by a reasoned order in accordance with law within a further period of 12 weeks thereafter. If the claim of the petitioner is found to be tenable, necessary sequel order also shall be passed within the aforesaid period.

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

(Ashutosh Kumar, J)

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