

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 6850 of 2015

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Raj Kishore Singh, son of Late Yamuna Singh, Resident of village- Dargah,
P.S.- Goh, Dist.- Aurangabad.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Gaya
3. The Superintending Engineer, Public Health Engineering Department, Circle
Gaya.
4. The Executive Engineer, Public Health Engineering Department, Circle-
Gaya.
5. The Treasury officer, Gaya.

... .. Respondent/s

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For the Petitioner/s	:	Mr.Anil Kumar
For the Respondent/s	:	Mr.Rajiv Kumar Singh

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD
ORAL JUDGMENT

Date : 16-04-2019

Heard learned counsel for the petitioner and the
respondent-State.

2 Petitioner is a Mechanic in Public Health
Engineering Department (for brevity, *PHED*), Circle – Rafiganj.
He was appointed on 01.10.1973 and has retired on 30.06.2012.
He has claimed benefit on account of third Assured Career
Progression (for brevity, *ACP*). It is submitted that the
respondents may be directed to consider the petitioner’s claim for
third ACP made before the Superintending Engineer, PHED,
Circle – Gaya vide Annexure 4.

3 This Court will find that pursuant to an application
made under Right to Information Act, the Superintending



Engineer, PHED, Circle – Gaya has already intimated the petitioner that the benefit on account of third ACP is not available to the petitioner. Petitioner's entitlement to grant of such benefit has been rejected and intimation in respect thereof has been provided by the Communication dated 24.03.2015 issued by the Superintending Engineer, PHED, Circle – Gaya. The same has not been challenged.

4 This Court, however, would observe that no reasons whatsoever have been assigned in support of the decision that petitioner is not entitled to grant of benefits on account of third ACP.

5 Writ petition, therefore, is disposed of with a direction to respondent No 3 to communicate the decision by assigning reasons in support of the conclusion arrived at with respect to the petitioner being not entitled to grant of benefits under third ACP within three months from the date of receipt/production of a copy of this order.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
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