

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1641 of 2017

Vijay Kumar Singh S/o Late Suryadeo Singh, Resident of Village- Kaithi,
P.O. and P.S.- Kachhawa, District- Rohtas.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Deputy Secretary to the Government, Minor Water Resources
Department, Government of Bihar, Patn
3. The Superintending Engineer, Tube-well Circle, Arrrah.
4. The Executive Engineer, Tube Well Division, Arrrah.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Dineshwar Mishra, Adv. Mr. Surendra Mishra, Adv. Ajit Kumar Singh, Adv.
For the State/s	:	Mr.Chitranjan Sinha, PAAG-2 Mr. Ratna Kumari, AC to PAAG-2

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 03-07-2019 Heard learned counsel for the petitioner and learned
AC to AAG-2 for the State.

Initially the writ application was filed by the petitioner, who retired on 31.08.2013 as Junior Engineer in Minor Irrigation Department, Govt. of Bihar for payment of his post retiral dues including full pension, arrears of pension, arrears of salary from September, 2011 to August, 2013 and benefits of two ACPs.

At the out set, it is submitted on behalf of the respondents that during pendency of this application, the petitioner has received most of the dues and for others, steps



have been taken by the respondent authorities for making payment of the same. It is further submitted that from perusal of Letter No. 999 dated 30.05.2019 written by the Executive Engineer, Minor Irrigation Department, Circle Patna, enclosed as Annexure-D to the supplementary counter affidavit filed on behalf of the respondent nos. 2 to 4, it would transpire that so far as the benefits of two ACPs payable to the petitioner are concerned, effective steps have been taken by sending all the required documents including the certified copy of the service book for grant of the same.

In view of the contents of the said letter, it is submitted on behalf of the petitioner that the writ application may be disposed of with a direction to the respondent no. 2 to take a decision for the grant of ACP/MACP to the petitioner in view of the fact that all the relevant documents have already been sent alongwith letter no.999 dated 30.05. 2019.

The learned counsel appearing for the State has no objection to such a direction being given to the respondents.

In view of the facts and circumstances stated hereinabove, this writ application is disposed of with a direction to respondent no. 2 to take a decision on grant of the two ACPs to the petitioner, the required documents having already been



sent along with the above mentioned letter no. 999 dated 30.05.2019, as contained in Annexure-D to the counter affidavit filed on behalf of respondent nos. 2 to 4. The above decision should be taken by the respondent no. 2 within a period of three months from the date of receipt/production of a copy of this order. It goes without saying that if any financial benefit is found payable to the petitioner consequent to the grant of two ACPs to him, the same should be paid to him within a further period of four months from the date of said order/decision.

The writ application stands disposed of with the above observations and directions.

(Partha Sarthy, J)

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