

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13341 of 2017

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Sadanand Mehta Son of Late Rup Narayan Mehta, Resident of Village- Murli Basantpur, Post Office- Murli Basantpur, Police Station- Bangaon, District- Saharsa.

... .. Petitioner

Versus

1. The State Of Bihar through the Secretary, Department of Social Welfare, Government of Bihar, Patna
2. The Director, Social Welfare, Directorate of Social Welfare, Bihar, Patna.
3. Deputy Director, Welfare, Koshi Division, Saharsa.
4. District Magistrate, Madhepura.
5. District Programme Officer, Madhepura.
6. Child Development Project Officer, Puraini Block, District- Madhepura.
7. The Accountant General, Bihar, Birchand Patel Path, Patna.

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr.Shashi Dhar Jha
For the Respondent/s	:	Mr.Gyan Prakash Ojha-GA 7
For Accountant General	:	Mr. Manish Kumar

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 21-05-2019 Matter has been listed today in the Summer Vacations as the learned Counsel for the petitioner was desirous for consideration of his case during vacation.

The slip for listing was filed pursuant to notice dated 8th May, 2019, published prior to the Vacation.

The matter is, accordingly, taken up for consideration as both parties are present and willing to assist the Court for disposal of the matter.

The petitioner's claim in the writ petition is for grant



of benefits under the Assured Career Progression Scheme (ACP).

From the pleadings on record the admitted position that emerges is that on 30.5.2007 Child Development Project Officer, Murliganj wrote to the Deputy Director Welfare, Koshi Division, Saharsa for expediting the claim of the petitioner with regard to ACP. The inaction thereafter is the issue being raised by petitioner's Counsel today. In the meantime, it is submitted that the petitioner has also retired from service.

In the circumstances, since the action has to be taken by Deputy Director Welfare, respondent No. 3, keeping the writ petition pending would serve no useful purpose.

The writ petition is disposed of with a direction to respondent No. 3 to take appropriate action pursuant to communication dated 30.5.2007 issued by Child Development Project Officer, Murliganj (Annexure 3) and dispose of the claim of the petitioner by a reasoned and speaking order. Dues found admissible should also be expedited. This Court expects that entire exercise is completed by respondent No. 3 within a period of eight weeks from the date of receipt/production of a copy of this order.

(Madhuresh Prasad, J)

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