

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16803 of 2017

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Suresh Prasad Sharma Son of Late Rajendra Prasad Sharma Resident of
Mohalla - Hriday Ganj, Police Station - Katihar, District - Katihar.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Panchayati Raj Department.
2. The District Magistrate, Katihar.
3. The Deputy Development Commissioner, Katihar.
4. The Senior Deputy Collector District Public Grievance Cell, Katihar.
5. The District Panchayat Raj Officer, Katihar.
6. The Executive Engineer National Rular Employment Scheme, Katihar.
7. The District Programming Officer, Katihar.
8. The Block Development Officer, Hasanganj, Katihar.
9. The Panchayat Secretary, Rampur Panchayat, Katihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Raghvendra Kumar Singh
For the Respondent/s : Mr.Kumar Alok - Sc-7

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 24-06-2020 Due to COVID-19 Pandemic, the matter is being

taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard the parties.

Following reliefs have been sought for in paragraph 1
of the present application:

“1(i) To issue an appropriate writ including a
writ in the nature of Mandamus directing the
Respondents to pay the petitioner his total



outstanding with interest after giving him the benefits of Revised pay scale and A.C.P. which has not been paid on the basis of an allegation that Rs. 25,000/- (an amount paid under Scheme No. 09/2004-2005 (N.F.F.W.) has not been adjusted.

(ii) To issue an appropriate direction to the concerned Respondent to rectify the service record of the petitioner in which adjustable amount of Rs. 25,000/- has been wrongly entered by overlooking the order dated 12.02.2007 by which adjustable amount has already been adjusted and remaining amount was paid to the petitioner.

(iii) To issue an appropriate direction to the concerned Respondent to settle the issue within a stipulated time period as petitioner is facing economical hardship after his retirement on 28.02.2013.

(iv) To grant other relief for which petitioner is entitled to.”

A counter affidavit and a supplementary counter affidavit have been filed on behalf of the State. Following statements have been made in paragraphs 6 and 7 of the supplementary counter affidavit filed on behalf of respondent nos. 2 to 5 & 8:

“6. That the case in brief is that the petitioner had joined on the post of Panchayat Sachiv on 01.07.92 in Hasanganj Block. He retired on 28.02.2013 for Kadwa Block. He had been entrusted for completion of remaining work of a scheme bearing no. 09/04-05 under Food for work scheme (NFFW) in Hasanganj. As per the report of Block Development Officer, Hasanganj vide his letter no. 580, dated 08.06.2020, the advance amount of Rs. 25,000.00 taken by the petitioner in the implementation of the said



scheme has already been adjusted and the entry for such adjustment has been made in the record of this scheme itself.

7. That a meeting of the District Screening Committee was held on 01.06.2020 in the Chairmanship of the District Magistrate, Katihar. The matter of ACP/MACP of total 41 Panchayat Sachivs including the petitioner was considered and an appropriate order in the light of Government (Finance Dept.) Notification no. 4685, dated 25.06.2003, 1802 dated – 23.02.2006, Resolution No. -7566 dated 14.07.2010 & letter no. -275 dated 08.01.2015 was passed. The decision has been communicated by the District Panchayat Raj Officer, Katihar vide memo no. 433, dated 04.06.2020 according to which the petitioner (Sl. No.-7) has also been granted first & second ACP/MACP benefits. The payment regarding these promotions shall be made at once.”

Considering the fact that the grievance of the petitioner has already been redressed, no further order is required to be passed in the present writ application.

The present writ application stands disposed of.

(Sudhir Singh, J)

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