

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3854 of 2020

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Dhaneshwari Devi W/o Prabhu Sahani, Resident of Village- Daudpur
Tirmohani, P.S. Ghoswari(Mokama) District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Transport (B.S.R.T.C.), Government of Bihar, Patna.
2. The Collector of Saharsa.
3. The Collector of Purnea.
4. The Joint Commissioner Cum Secretary, Regional Transport Tribunal, Kosi Pramandal at Saharsa.
5. The Deputy Commissioner of Transport Cum Secretary of Regional Transport Corporation at Saharsa/Purnea.
6. The Director of Bihar State Road Transport Corporation at Patna.
7. The Accountant General, of Bihar at Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ramakant Yadav
For the Respondent/s : Mr.Chitranjan Sinha (Paag2)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 23-06-2020 Heard learned counsel for the petitioner, State and

learned counsel appearing on behalf of the Bihar State Road

Transport Corporation.

Learned counsel appearing on behalf of the Bihar

State Road Transport Corporation.

Mr. P.K. Verma, learned counsel appearing on behalf

of the State submits that all the grievance of the petitioner has

been redressed except the benefit of ACP which is not payable.

The Corporation has not paid ACP to any one who retired before



2017.

Considering the apex court judgment in D.S. Nakara's case, the writ petition is disposed of with a direction to respondent no.1 to take appropriate decision with regard to entitlement of the petitioner as the respondents cannot arbitrarily decide cut off date for grant of ACP and deny ACP to those retired before 2017 and pay the same to those retired after 2017. The Principal Secretary Transport to pass reasoned order in relation to the claim of the petitioner in accordance with D.S. Nakara's case within a period of three months from the date of receipt/production of a copy of this order and grant all consequential benefits accordingly.

(Anil Kumar Upadhyay, J)

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