

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No 24467 of 2019**

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Ajay Kumar Pandey Son of Late Ram Binay Pandey, resident of Kishan Colony, Phase- 1, Anisabad, Police Station-Anisabad, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary Building Construction Department, Govt. of Bihar, Patna.
2. The Secretary, Finance Department, Govt. of Bihar, Patna.
3. The Superintending Engineer, South Bihar Circle, Building Construction Department, Patna.
4. The Executive Engineer, Patliputra Building Division, Building Construction Department, Patna.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr Jitendra Prasad Singh, Advocate  
For the Respondent/s : Ms Puspanjali Sharma, AC to SC XX

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**CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD**

**ORAL ORDER**

**2     31-01-2020**                      Heard learned counsel for the petitioner and the respondent-State.

Learned counsel for the petitioner submits that his entitlement to grant of benefits under the Assured Career Progression (For brevity *ACP*) Scheme has not been determined or granted to him till date. Submission is that he has filed his representation before the Superintending Engineer, South Bihar Circle, Building Construction Department, Patna claiming such benefit. The representation is Annexure 3 and the same is dated 14.12.2017. Correspondence for ascertaining entitlement of the petitioner to the benefits has been done in the Letter dated



13.07.2018 issued by the Executive Engineer, Patliputra Building Division, Building Construction Department, South Bailey Road, Patna – 800 001. The same has been enclosed with the writ petition as Annexure 4. The petitioner is aggrieved by the fact that in spite of the said communication, till date, the admissibility of the benefits under ACP and grant of admissible dues have not been done.

In view of the nature of submissions, keeping the writ petition pending, would be futile as the Authorities are yet to determine the petitioner's entitlement and amount admissible.

Writ petition is, thus, disposed of with a direction to respondent No 3 (Superintending Engineer, South Bihar Circle, Building Construction Department, Patna) to take a final decision on the petitioner's claim (Annexure 3) expeditiously, without any undue delay and preferably within eight weeks from the date of receipt/production of a copy of this order.

The amounts, found due and admissible, must also be paid within eight weeks thereafter.

**(Madhuresh Prasad, J)**

**M.E.H./-**

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