

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18487 of 2018

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Kranti Kumar Singh, Son of Late Muso Singh, Resident of Village + P.O.-
Sanhauli, P.S.-Chitragupta Nagar, District-Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Irrigation Department, Bihar, Patna.
3. The Chief Engineer (Mech.), Irrigation Department, Patna.
4. The Executive Engineer, (Mech.), Irrigation Mechanical Division, Birpur, Supaul.
5. The District Account Officer, Pay Fixation Cell, Saharsa.

... .. Respondent/s

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Appearance :

For the Petitioner/s : None

For the Respondent/s : Mr.Vinay Kriti Singh, GA-2

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

5 13-07-2021 The matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

This writ application has been filed seeking following
reliefs :-

- “(i) For issuance of an appropriate direction/s, order/s, writ/s to the respondent to pay the outstanding amount to the petitioner for benefit of 2nd ACP and 3rd ACP which has been given to him vide letter no. 163 dated 18.11.2014 whereby and whereunder the respondent no. 3 gave the benefit notionally but has stated that the monetary benefit would not be given save and except the grade pay.*
- (ii) For issuance of an appropriate*



writ/s, order/s, direction/s to the respondents to fix the pension of the petitioner after according benefit of 2nd and 3rd ACP to him and thereafter pay the arrear of pension to the petitioner with the statutory interest for which he is entitled in law.

(iii) For issuance of an appropriate writ/s, order/s, direction/s to the respondents to increase the pension of the petitioner commensurate to the pay scale likely to be fixed after grant of 2nd and 3rd ACP and pay the same accordingly.”

A supplementary counter affidavit has been filed on behalf of the Respondent-State of Bihar stating therein, *inter alia*, that all consequential benefits arising out of 2nd ACP and 3rd MACP has been allowed to the petitioner by the competent authority. In the said counter affidavit it has further been stated in paragraph-5 that the pension and gratuity has also been revised at the level of the Accountant General, Bihar accordingly.

On perusal of the supplementary counter affidavit filed on behalf of the State of Bihar it transpires that the grievance of the petitioner has substantially been redressed.

Despite link of hearing of the present virtual court proceeding having been successfully sent to the learned counsel for the petitioner, there is no representation on behalf of the



petitioner. On the last occasion also, there was no representation on behalf of the petitioner.

It appears that since the petitioner's grievance has been redressed during pendency of this application, he has lost interest in the present case.

The application stands disposed of accordingly.

(Chakradhari Sharan Singh, J)

Rajesh/-

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