

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6566 of 2020

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Bishnu Dayal Ray, S/o-Ram Lagan Ray, Resident of Village- Shahpur Diyara,
Sonpur, P.S.- Sonapur, District- Saran (Chapra).

... .. Petitioner/s

Versus

1. The State of Bihar through the Director in Chief, Health Services Bihar, Patna.
2. The Principal Secretary, Health Services, Bihar, Patna.
3. The District Magistrate, Saran, Chapra.
4. The Civil Surgeon-cum-Chief Medical Officer, Saran, Chapra.
5. The Incharge Medical Officer, Jalalpur, Saran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Deonath Prasad, Advocate
For the Respondent/s : Mr. Binod Kr. Yadav (SC-18)

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 17-12-2021

Heard learned counsel for the parties.

2. In the instant petition, the petitioner has prayed for the following reliefs:

“(i) For issuance of a writ or writs, order or orders commanding / directing the respondent-authorities to provide 1st Assured Career Progression (1st ACP) in pay scale of Rs. 5000 - 8000/- and 2nd Assured Career Progression (2nd ACP) in pay scale of Rs. 5500/ - 9000/= both w.e.f. 09.08.1999 in the light of Assured Career Progression Scheme 2003 and Amendment rule- 6 and 7 to the petitioner.

(ii) For further to pay difference of pay for the period 9.08.1999 to 30.11.2004 till the date of retirement.

(iii) Also to revise pension, Gratuity, Leave encashment amount to the petitioner.”



3. In support of petitioner's prayer, the petitioner has made representation on 28.09.2019 followed by reminders on 14.10.2019 and 26.11.2019. The concerned respondent has not taken any decision on the petitioner's grievance as to whether he is entitled to 1st ACP and 2nd ACP. Consequently, re-fixation of pay and difference of pay during the period from 09.08.1999 to 30.11.2004 or not.

4. In the regard, the competent authority-respondent is hereby directed to take a decision and pass speaking order and communicate the same to the petitioner within a period of three months from the date of receipt of copy of this order.

5. The writ petition stands disposed of.

(P. B. Bajanthri, J)

uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	23.12.2021
Transmission Date	NA

