

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 6606 of 2020

Labindra Kumar Singh Son of Late Basudeo Singh Resident of Village and Post- Kobil, Police Station and Block- Islampur, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Social Welfare, Government of Bihar, Patna.
2. The Principal Secretary, Department of Social Welfare, Government of Bihar, New Secretariat, Bihar, Patna.
3. The Director, Integrated Child Development Scheme (I.C.D.S.), Department of Social Welfare, Government of Bihar, New Secretariat, Bihar, Patna.
4. The District Magistrate, Jehanabad, District- Jehanabad.
5. The District Treasury Officer, Jehanabad, District- Jehanabad.
6. The District Programme Officer, I.C.D.S., Jehanabad, District- Jehanabad.
7. The Child Development Project Officer, Kako, Block- Kako, District- Jehanabad.
8. The Child Development Project Officer, Kutumba, Block- Kutumba, District- Aurangabad.
9. The Accountant General (A and E), Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Nityanand Mishra, Advocate
For the Respondent/s : Mr. Prashant Pratap (Gp2)

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

Date : 20-12-2021

Heard learned counsels for the respective parties.

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

“(i) For issuance of appropriate writ/writs in the nature of mandamus commanding/ directing the respondent authorities concerned to grant and pay 1th, 2nd and 3rd ACPs to the petitioner which has not paid to him during his service period.

(ii) Further for direction to the respondents specially the Accountant General, Bihar, Patna to revise and fix the pensionary benefits i.e. gratuity, leave encashment, commutation of pension and family pension on the basis of grant of 1st, 2nd and 3rd ACPs to the petitioner and pay the



same to the petitioner along with admissible interest after revise and fix the pensionary benefits of the petitioner.

(iii) Further to direct the respondents concerned to pay compensation for not granting 1st, 2nd and 3rd ACPs to the petitioner due to which mental, physical and financial harassment has been caused to the petitioner.

(iv) For any other relief / reliefs for which the petitioner is entitled to in the facts and circumstances of the case and also in accordance with law.”

Short question for consideration is whether petitioner is entitled to 1st, 2nd and 3rd A.C.Ps or not. In this regard, protracted correspondence is vague with the official respondents and petitioner. On 28.11.2018, petitioners's service record was forwarded for the purpose of consideration as to whether petitioner is entitled to first, second and third A.C.Ps or not?

6th respondent is hereby directed to pass speaking order as to whether petitioner is entitled to first, second and third A.C.Ps with reference to service record read with the provision or not?

The above exercise shall be completed within the period of one month from the date of receipt of this order.

Thus, the petition stands disposed off.

(P. B. Bajanthri, J)

Gaurav Kumar/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

