

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.961 of 2022

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Ganesh Rai son of Late Ram Ayodhya Rai Resident of the Village- Purnushotampur Suvarna, P.O.- Harazi, P.S.- Awatar Nagar of the District of Saran. Petitioner/s

Versus

1. The State of Bihar through the Joint Agriculture Director, Govt. of Bihar, Patna.
 2. The District Magistrate, Saran at Chhapra.
 3. The District Agriculture Officer, Saran at Chhapra.
 4. The Sub- Divisional Officer, Sadar Chhapra, Saran. Respondent/s
- =====

Appearance :

For the Petitioner/s : Mr. Shiv Shankar Prasad Yadav, Advocate
For the Respondent/s : Mr. Awanish Nandan Sinha (GP 21)

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

Date : 09-03-2022

Heard learned counsel for respective parties.

Learned State counsel accepts notice for respondents.

Learned counsel for the petitioner is hereby directed to furnish a copy of the petition to learned counsel for the State if it is not already furnished.

In the instant petition, petitioner has prayed for the following relief(s):-

“For direction to Respondent No.02 to 04 (District Agriculture Officer, Saran and the Respondent No. the SubA Divisional Agriculture Officer Sadar Chhapra, District-Saran) in particular to grant the Ist ACP in the scale of to (Rs.4000-100-6000) and 2nd ACP in the the Scale of (Rs.5000-100-8000) since in pursuant to the new rule 2003 of the ACP to him. Due to the non-payment of the Same, he is aggrieved, and



has preferred this application to this Hon'ble Court."

Short question for consideration is whether the petitioner is entitled to 1st ACP in the pay-scale of Rs. 4,000-00-6,000 and 2nd ACP in the pay-scale of Rs. 5,000-100-8,000 or not?

In this regard, petitioner submitted representations dated 15.04.2007, 12.12.2021 and 28.12.2021 *vide* Annexure-1 series. The concerned respondent has not taken any action either accepting or rejecting the petitioner's grievance with reference to service particulars of the petitioner read with the ACP Rules. If the petitioner fulfils criteria for granting ACP in that event necessary action shall be taken in extending ACP and so also calculating arrears of pay and pension and disburse. If the petitioner is otherwise not eligible in that event speaking order shall be passed and communicated as to why the petitioner is not entitled to ACP as claimed by him. The above exercise shall be completed within a period of four months from the date of receipt of this order.

With the aforesaid observations, the present writ petition stands disposed off.

Vikash/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	
Transmission Date	N/A

(P. B. Bajanthri, J)

