

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5080 of 2021

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Virendra Kumar, Son of Late Mangal Das, Resident of Flat No. 403, Harshita Kunj Apartment, Magistrate Colony Road, P.S.-Rajiv Nagar, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Road Construction Department, Government of Bihar, Patna.
2. The Principal Secretary, Road Construction Department, Government of Bihar, Patna.
3. The Special Secretary, Road Construction Department, Government of Bihar, Patna.
4. The Additional Secretary, Road Construction Department, Bihar, Patna.
5. The Principal Secretary-cum-Chairman, Employee Grievance Redressal Committee, Road Construction Department, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar

For the Respondent/s : Mr. R.B. PD. Yadav, AAG 11

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

Date : 02-02-2022

The matter is heard via video conferencing due to circumstances prevailing on account of the COVID-19 pandemic.

2. State counsel accepts notice for the respondents.

3. Counsel for the petitioner is hereby directed to furnish copy of the writ petition to the counsel for the State/respondents.

4. In the instant petition, petitioner has prayed for the following relief/reliefs:

“i) For issuance of writ in the nature of writ of mandamus or any other appropriate writ, order or direction, directing the Respondents to grant the benefit of second A.C.P. with effect from 1.7.2009 and also to grant the grade pay of Rs.8700/- in the PB-4-37,400-67,000/-



ii) For issuance of writ of mandamus or any other appropriate writ, order or direction, directing the Respondents to grant 3rd A.C.P. with effect from 1.7.2015 in the grade pay scale of Rs. 8900 in PB-437,400-67,000/-.

iii) And/or any other relief or reliefs for which the petitioner is found entitled to, in the facts and circumstances of this case.”

5. Short question for consideration is whether petitioner is entitled to 2nd and 3rd A.C.P. with effect from 01.07.2009 and 01.07.2015 or not? In this regard petitioner submitted representations dated 08.12.2017 and 27.02.2020 *vide* Annexures 1 and 2 respectively. The concerned respondent is hereby directed to decide the petitioner’s representations as to whether petitioner is entitled to relief sought in the present petition or not within a period of three months from the date of receipt of this order. If the petitioner is entitled, the same shall be extended including monetary benefits. If the petitioner is otherwise not entitled, in that event, necessary speaking order shall be passed as to how petitioner is not entitled and communicate such decision to the petitioner.

6. Accordingly, writ petition stands disposed off.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

