

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5980 of 2021

1. Shanti Sinha Wife of Late Vinod Prakash Sinha Resident of Ward no. 14, Khoda Nagar, Dharm Samaj Road, P.s.- Chatoni, District- East Champaran, Motihari
2. Malti Devi Wife of Late Surendra Dubey Resident of Ward no. 03, Bhalua Road, Shastri Nagar, P.s.- Raghunathpur, Chatoni, District- East Champaran, Motihari
3. Bachchan Prasad Son of Late Sumeshwar Prasad Resident of village- Raghunathpur, Motihari, P.s.- Turkaulia, Chatoni, District- East Champaran, Motihari
4. Haridev Prasad Singh Son of Late Shyam Sundar Prasad Singh Resident of Village- Maldah Mauzi, P.s.- Hasanpur, District- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Water Resources Department, Government of Bihar, Patna
2. The Joint Secretary, Water Resources Department, Government of Bihar, Patna
3. The Engineer in Chief Flood Control, Water Discharge, Water Resources Department, Muzaffarpur
4. The Superintending Engineer, Flood Control, Water Discharge Circle, Motihari
5. The Executive Engineer, Sikarahana Embankment Division, Motihari
6. The Executive Engineer, Flood Control Division, Motihari
7. The Chief Engineer, Irrigation Creation, Water Resources Department, Motihari
8. The Executive Engineer, Tirhut Canal Division, Motihari

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar, Advocate

For the Respondent/s : Mr. Harish Kumar, GP 8

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

Date : 07-02-2022

This matter is heard *via* video conferencing due to circumstances prevailing on account of the COVID-19 Pandemic.

Learned State counsel accepts notice for respondents.



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

In the instant petition, petitioners have prayed for the following relief(s):-

“(a) For direction upon the respondent authorities to Consider and grant 1st and 2nd ACP to the Petitioner No. 1 to 3 with all consequential monetary benetils w.e.f. due dates and accordingly revise and re-fix the pensionary benefits to the petitioner no. 1 to 3 and ensure payment thereof.

(b). For direction upon the respondent authorities to consider and grant 1st and 2nd ACP and 3rd MACP lo the petitioner no. 4 with all consequential monetary bencfits from the due dates and accordingly revise and re-fix the pensionary benelits to the petitioner no. 4 and ensure payment thereof.

(c) For direction to thee respondent authorities to pay the due salary to the petitioner no, 4 Tor the period from 25.07.2014 to 31.07.2014.

(d)For any other relief/s to Which the petitioners are found entitled to.”

In support of the aforesaid prayer, the petitioners submitted a number of representations vide Annexure-4 series.

The concerned respondent is hereby directed to decide the representations of petitioners vide Anneuxre-4 series and examine as to whether the petitioners are entitled to 1st, 2nd and 3rd



ACP/MACP or not? Further, they are entitled to the arrears of salary for the aforesaid period or not? In that regard, petitioners' service particulars read with the scheme of ACP/MACP shall be taken into consideration. If petitioners are otherwise eligible the benefit of ACP/MACP be granted and arrears of the salary shall be extended. If the petitioners are not entitled in that event necessary speaking order shall be passed and communicated to the petitioners. The above exercise shall be completed within a period of three months from the date of receipt of this order.

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

(P. B. Bajanthri, J)

Vikash/-

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

