

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5852 of 2021

1. Paras Nath Prasad, Son of Late Dharamdeo Prasad, Resident of Mohalla - 112 Near Hero Honda Agency, Adarsh Nagar, Samastipur, P.O. , P.S. and District - Samastipur.
2. Zeyaul Hasan, Son of Late Zafar Hasan, resident of Village - Chak Abdul Ghani, P.O. - Shambhu Patti, P.S. and District - Samastipur.
3. Manoj Kumar, Son of Late Braj Kishore Prasad, Resident of Village - Rahamganj, P.O.- Lalbag, P.S. Laheriasarai, District - Darbhanga.
4. Rajeshwar Prasad, Son of Late Jivas Lal Dev, Resident of village - Jafra, P.O. - Sonki, P.S. and District - Darbhanga.
5. Nawal Kishore Kunwar, Son of Late Balram Kunwar, Resident of Village - Musapur, P.O., P.S. and District - Samastipur.
6. Shiv Narayan Yadav, Son of Late Sukhdev Yadav, Resident of Village - Dudhpura, P.O. - Magurgarh, P.S. - Hasanpur, District - Samastipur.
7. Mahendra Paswan, Son of Late Lakhon Paswan, Resident of Mohalla - Ambedkar Nagar, ward no. 22, P.O., P.S. and District - Samastipur.
8. Md. Naimuddin, Son of Late Mahabub Ali, Resident of Village - Asgaon, P.O.- Milkichak, P.S. Bahadurpur, District - Darbhanga.
9. Ramautar Singh, Son of Late Ram Uchit Singh, Resident of Mohalla - 88 K, Barah Pathar, Ward No. 15, P.O., P.S. and District - Samastipur.
10. Dinesh Rajak, Son of Late Dashai Rajak, Resident of Village - Sihma Kanth, P.O. Manganpur, P.S.- Pateri Belsar, District - Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
2. The Principal Secretary, Finance Department, Government of Bihar, Patna.
3. The Principal Secretary, Rural Development Department, Government of Bihar, Patna.
4. The Principal Secretary, Panchayat Raj Department, Government of Bihar, Patna.
5. Director, Panchayati Raj, Government of Bihar, Patna.
6. Dy. Director cum Dy. Secretary, Panchayati Raj Department, Bihar, Patna.
7. Deputy Development Commissioner cum Chief Executive Officer, Zila Parishad, Samastipur.
8. Chairman, Zila Parishad, Samastipur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Pravin Chandra Prasad, Advocate
For the Respondent/s	:	Mr. Ajay, GA-5
		Mr. Pramod Kumar Singh, Advocate



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

Date : 04-02-2022

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

2. State counsel accepts notice for respondents

3. Unnecessarily, the petitioners have impleaded State respondent nos. 1 to 6, as necessary and proper parties whereas the petitioners' grievance is required to be redressed by respondent nos. 7 and 8. Therefore, the counsel for the petitioners is hereby directed to delete respondent nos. 1 to 6 within a period of two weeks' from today.

4. The concerned respondent either respondent no.7 or respondent no.8 is hereby directed to examine the petitioners' representations dated 26.11.2020, 21.12.2020 and 04.01.2021 (Annexure-6 Series) and proceed to pass speaking order as to whether the petitioners are entitled to A.C.P. benefit and consequential benefits in the light of their service particulars, scheme of Rules and its applicability to the Zila Parishad, Samastipur.

5. If the petitioners are entitled for A.C.P., necessary order shall be passed and monetary benefits shall be disbursed in favour of the petitioners within a period of two months from the date of receipt of a copy of this order. If they are not entitled, in



that event necessary speaking order shall be passed and
communicate the same to each of the petitioner.

6. The writ petition stands disposed of.

(P. B. Bajanthri, J)

uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	09.02.2022
Transmission Date	NA

