

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6205 of 2021

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GANGESHWAR PRASAD SHARMA Son of Late sadhu Saran Singh
Resident of Mohalla- Lakhibagh, Police Station- Muffasil (Manpur), District-
Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Department of Road Construction, Bihar, Patna
3. The Engineer in Chief -cum- Secretary -cum- Additional Commissioner,
Department of Road Construction, Bihar, Patna
4. The Joint Secretary, Department of Road Construction, Bihar, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar
For the Respondent/s : Mr.Lalit Kishore (Ag)

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

ORAL JUDGMENT

Date : 07-02-2022

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

2. State counsel accepts notice for 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:

“That this is an application for issuance of a writ
in the nature of Mandamus or any other appropriate writ(s),
Order(s), Direction (s), for commanding and directing the
respondent authorities to grant the benefit of Ind Assured
Carrier Progression (hereinafter referred to as “ACP”) under
the provision of Bihar State Employees Conditions of Service
(“Assured Career Progression Scheme”) Rules, 2003 and to
pay the financial benefits after granting the aforesaid benefits
which is due on 06.07.2000 and/or for issuance of such



order(s) / direction(s) to the Respondent authorities for which he may be found legally entitled to in the facts and circumstances of the case as state hereinafter;”

5. In support of the aforesaid relief, petitioner submitted representations *vide* Annexure 3, 4 and 6 respectively.

6. Short question for consideration is whether petitioner is entitled to A.C.P. benefits or not? In this regard petitioner has already preferred representations before the competent authority, therefore, the competent authority is hereby directed to decide the petitioner’s representations, service particulars read with Scheme/Rules of A.C.P. If the petitioner is otherwise eligible, monetary benefits shall be extended. If the petitioner is not eligible, in that event, necessary speaking order shall be passed and communicated to the petitioner. The above exercise shall be completed within a period of three months from the date of receipt of this order.

7. With the above observation, writ petition stands disposed off.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

