

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6666 of 2021

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Sridhar Mandal, son of Hajari Mandal Resident of Village- Bahadurpur, P.O-
Simaria, P.S.- Kajraili, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Panchayat Raj Department,
Government of Bihar, Patna
2. The Principal Secretary Panchayat Raj Department, Government of Bihar,
Patna
3. The Director, Panchayat Raj Department, Government of Bihar, Patna
4. The District Magistrate, Bhagalpur, District- Bhagalpur
5. The Block Development Officer, Sabour, District- Bhagalpur.
6. The Accountant General Bihar, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra
For the Respondent/s : Mr.Lalit Kishore (Ag)

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

ORAL JUDGMENT

Date : 08-02-2022

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

2. State counsel accepts notice for respondent nos.
1 to 6.

3. Petitioner's counsel is hereby directed to
furnish copy of the petition to the State counsel.



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

“For issuance of writ in the nature of mandamus for direction to respondents for payment of the arrears of 1st and 2nd ACP in the light of the order vide Memo No. 1031 dated 20.7.2007 issued by District Magistrate, Bhagalpur and further issue direction to respondent pay the arrears of the 1st and 2nd ACP alongwith interest 9% per annum till date of full and final payment to the petitioner and further issued direction to respondent grant the other legal consequential benefits attach to the post”.

5. Short question for consideration in the present petition is that though the petitioner was granted the benefit of 1st ACP and 2nd ACP vide memo no. 1031 dated 20.7.2007 (Annexure-1) yet monetary benefit has not been extended to the petitioner. Further the petitioner claims arrears on 1st ACP and 2nd ACP along with interest @ 9% per annum. In this regard, the petitioner submitted representation dated 19.11.2020 with reference to cause of action on 27.7.2007. Therefore, the petitioner is not entitled to interest on difference of amount three years prior to filing of the present petition. Interest @ 8% per annum shall be



paid on arrears from 3 years prior to filing of this petition till arrears or difference of pay is disbursed. If the petitioner is not otherwise eligible, necessary speaking order shall be passed by the competent authority-respondent.

The above exercise shall be completed within a period of two months from the date of receipt of this order.

With the aforesaid, the writ application stands disposed of.

(P. B. Bajanthri, J)

Ravi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.02.2022
Transmission Date	NA

