

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8508 of 2021

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Krishna Deo Singh Son of Late Chakradhar Singh, Resident of Flate No. 203,
2nd Floor, Bhagwati Apartment M.G. Path, Near Hero Service Center, Bose
Park, Jagdishpur, Bhagalpur, P.S.-Adampur, District-Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Secretary-cum-Commissioner, Minor Immigration Department
Government of Bihar, New Secretariat, Patna.
3. The Chief Engineer, Minor Immigration Department, Bhagalpur.
4. The Superintending Engineer, Minor Immigration Circle, Bhagalpur.
5. The Executive Engineer, Aayojan and Monitoring Division, Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mrigendra Pratap Singh
For the Respondent/s : Mr. Anirban Kundu, SC 24

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

Date : 24-02-2022

Heard learned counsel for the parties.

2. State counsel accepts notice for respondent Nos. 1 to
5.

3. Counsel for the petitioner is hereby directed to serve
copy of the petition to the counsel for the State/respondents, if it is
not already served.

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

“That this is an application for issuance of
an appropriate writ and/or order and/or direction
commanding the respondents to pay after granting the
3rd ACP its benefits including the monetary benefits.



(i) The petitioner further prays that after the grant of the benefits of 3rd A.C.P. the final pension of the petitioner be revised if required and the arrears etc. be paid by granting the 3rd benefits of A.C.P.

(ii) The petitioner in this connection also prays that the order contained in Memo No. 265 dated 24.01.2019 by which the A.C.P. of the petitioner was denied be quashed.”

5. Perusal of the counter affidavit, it is evident that there is statement that the petitioner is not entitled for the relief sought in the present petition, however, no order has been passed so as to enable the petitioner to question the validity of reasons by which petitioner is not entitled for 3rd A.C.P. Therefore, the concerned respondent is hereby directed to pass a speaking order and communicate the decision to the petitioner within a period of one month from the date of receipt of this order.

6. Accordingly, writ petition stands disposed off.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	04.03.2022
Transmission Date	

