

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8008 of 2021

Geeta Srivastava W/o Late Jai Prakash Narayan @ Jai Prakash Srivastava @
Late Jai Prakash Narayan Srivastava Resident of village- B2, Satyam Enclave,
Judges Colony, East Saguna Khagaul, Patna, Bihar-801503

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Planning and Development, Govt. of Bihar, Old Secretariat, P.O.- Sachivalay, Patna
2. The Principal Secretary, Department Finance, Govt. of Bihar, Old Secretariat, P.O.- Sachivalay, Patna
3. The Director, Directorate of Economics and Statistics, Planning and Development Department, Old Secretariat, Patna, Bihar

... .. Respondent/s

Appearance :

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

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

Date : 13-01-2022

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

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

“a.) To issue an appropriate writ in the nature of mandamus commanding the respondents to grant modified ACP scale in the scale of Account officer from the due date to husband of the petitioner.

b.) To issue an appropriate writ in the nature of mandamus commanding the respondents to grant all consequential benefits including salary arrears from the due date.



c.) To issue an appropriate writ in the nature of mandamus commanding the respondents to grant all consequential benefits to the petitioner (wife of deceased) in terms of pension fixation (including pension arrear), Gratuity fixation, leave salary fixation and difference amount be paid to the petitioner.

c.) Pass any other or further order as this Hon'ble Court may deem fit and proper in the interest of justice."

3. Short question for consideration in the present petition is whether petitioner's husband (deceased) is entitled to modified ACP scale in the scale of Account Officer. In this regard, representation (Annexure-5) stated to be pending consideration before the concerned respondent.

4. Therefore, the concerned respondent is hereby directed to pass speaking order as to whether petitioner's late husband is entitled to modified ACP in the scale of Account Officer or not? If he is entitled, in that event calculation shall be made and arrears shall be disbursed to the petitioner including revision of pay read with consequential benefits, like arrears and family pension, if any. The same shall be extended to the petitioner along with interest @ 8% per annum. The above exercise shall be completed within a period of three months from the date of receipt of this order. If the petitioner's late husband is not entitled for the modified ACP, in that event detail



speaking order shall be passed and communicated to the petitioner.

5. With the aforesaid observations, the instant petition stands disposed of.

(P. B. Bajanthri, J)

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CAV DATE	
Uploading Date	
Transmission Date	

