

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10353 of 2021

Shankar Mishra Son of Late Rameshwar Mishra Resident of Thakur Patti,
Bangaon, P.S.- Bangaon, District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary Minor Water Resources Department, Government of Bihar, Patna.
3. The Special Secretary Minor Water Resources Department, Government of Bihar, Patna.
4. The Joint Secretary Minor Water Resources Department, Government of Bihar, Patna.
5. The Deputy Secretary Minor Water Resources Department, Government of Bihar, Patna.
6. The Chief Engineer Minor Water Resources Department, Bhagalpur.
7. The Superintendent Engineer Minor Irrigation Circle, Purnea.
8. The Executive Engineer Minor Irrigation Division, Purnea.
9. The Accountant General (A and E) Bihar, Patna.
10. The Treasury Officer Purnea.
11. The Assistant Treasury Officer Purnea.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Jagjit Roshan
For the Respondent/s : Mr.

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

Date : 25-02-2022

Heard the learned counsels for the parties.

2. State counsel accept notice for respondents. Copy
of the petition be served to the State counsel, if it is not already
served.

3. In the instant petition, petitioner has prayed for



following reliefs:

“(I) For issuance of an appropriate Writ/ Writs or direction/directions in the nature of Mandamus directing the Respondents for grant of the benefits A.C.P. and modified A.C.P. which the Petitioner is entitled in the light of Government decisions after issuing an Order of exemption from the Departmental Examination in the light of Government decisions/ Resolutions/ Notifications.

(II) For issuance of appropriate Writ/ Writs or direction/directions for commanding the Respondents to pay all the consequential benefits of A.C.P. and Modified A.C.P. which the Petitioner is entitled.

(III) For issuance of Writ/Writs in the nature of mandamus directing the Respondents to pass an Order for exemption of the Petitioner from Departmental Examination.

(IV) Issuance of such other Order or Orders, direction or directions as your Lordships may deem fit and proper in the fact and circumstances of this case.”

4. Aforesaid relief is supported by representation dated 20.05.2019. That apart, petitioner has submitted representations on different dates.

5. In the light of these facts and circumstances, the concerned authority is hereby directed to examine the service particulars of the petitioner read with the ACP Rules and find out as to whether petitioner is eligible for A.C.P. benefit or not. If petitioner is eligible necessary order shall be passed and



monetary benefits shall be extended. If petitioner is otherwise not eligible, speaking order shall be passed as to why petitioner is not entitled. The above exercise shall be completed within a period of four months from the date of receipt of this order.

6. With the above observations, the instant petition stands disposed of.

(P. B. Bajanthri, J)

rakhi/-

AFR/NAFR	
CAV DATE	
Uploading Date	04.03.2022
Transmission Date	

