

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2944 of 2021

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1. Md. Nehaluddin, Son of Late Md Moinuddin @ Late M.S.S. Moinuddin, Resident of Bari Haweli Road, Saguna Mainpura, P.S. Danapur, District - Patna.
 2. Chandra Bhushan Prasad, Son of Sri Sheo Kumar Prasad, Resident of Pragati Vihar Colony, P.S. - Ram Krishna Nagar District - Patna.
 3. Tarkeshwar Prasad Gupta, Son of Late Lal Babu Gupta, Resident of Bakerganj Bazaza, P.S. - Pirbahore, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Finance Department, Government of Bihar, Patna.
2. The Principal Secretary General Administration Department, Government of Bihar, Patna.
3. The Principal Secretary, Water Resources Department, Government of Bihar, Patna.
4. The Additional Secretary, Finance Department, Government of Bihar, Patna.
5. The Chief Engineer, Central Design Research and Quality Control, Water Resources Department, Anishabad, Patna.
6. The Superintendent Engineer, Research and Training Circle, Khagaul, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar, Advocate
For the Respondent/s : Mr. Lalit Kishore (AG)

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

2 28-01-2022 This matter is heard via video conferencing due to
circumstances prevailing on account of COVID-19 Pandemic.

2. Heard learned counsel for the parties.

3. In the instant petition, the petitioners have prayed
for the following reliefs:

“That this is an application on behalf of the petitioners
for issuance of a writ of Mandamus directing the



concerned respondents to grant 1st ACP in the scale of 6,500-10,500 and 2nd ACP in the scale of 10,000-15,200 w.e.f. 28.03.2000 to the petitioners at par with the Accounts Clerks working in the same department on the basis of qualification of Graduation, AND petitioner further prays for grant of any other relief/reliefs for which petitioner is found entitle to in the facts and circumstances of the present case.”

4. Short question for consideration in the present writ petition is whether the petitioners are entitled to 1st ACP and 2nd ACP as and when it is due to them or not?

5. Accordingly, the concerned respondent is hereby directed to examine the service particulars read with ACP Scheme/Rules and proceed to pass a speaking order. If the petitioners are otherwise eligible, necessary calculation of arrears of salary be undertaken and disbursed within a period of three months from the date of receipt of a copy of this order.

6. If the petitioners are otherwise not eligible, in that event, necessary speaking order must be passed within the prescribed time and communicate the same to the petitioners.

7. Accordingly, writ petition stands disposed of.

(P. B. Bajanthri, J)

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