

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3766 of 2021

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Brahma Nand Tiwary Son of Babban Tiwary Resident of Village- Ghurghat, P.S.- Gangpur, Sisavan, District- Siwan. At Present- Brahma Nand Tiwary, Son of Babban Tiwary, resident of House No. 1190, (Om Guru Grih) Road No. 23 (Extention) S.K. Nagar, Patna-1.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Secretary Department of Home, Government of Bihar, Old Secretariat, Patna.
2. The Accountant General (A and E) Bihar, Patna.
3. The Director General of Police Bihar, Patna.
4. The Inspector General of Police Tirahut Zone, Muzaffarpur, Bihar.
5. The Deputy Inspector General of Police Tirahut Zone, Muzaffarpur, Bihar.
6. The District Magistrate Muzaffarpur.
7. The Senior Superintendent of Police Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Prithvi Nath Mishra
For the Respondent/s : Mr. M.N.H. Khan, SC-1

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

Date : 31-01-2022

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

2. Petitioner's counsel to serve copy of the petition to the State counsel.

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

“(A) For issuance of an appropriate writ or direction commanding the respondent to fix the pension amount and given the benefit of third A.C.P. to the petitioner with interest thereon.

B. For commanding the respondent to clear of all retiral dues and arrears of salary to the petitioner with interest thereon.



- C. For commanding the respondent to clear of third A.C.P. and after clearness given the benefit of third A.C.P. to the petitioner.
- D. For given to the direction to the respondents for fixed the pension amount of the petitioner and after fixed the pension given to the petitioner.
- E. For granting any other relief or reliefs as your Lordships may deem fit and proper to the petitioner.”

4. Short question for consideration in the present petition is whether petitioner is entitled to 3rd ACP or not? In this regard, petitioner submitted representations, vide Annexure- 5 and it is pending consideration.

5. Therefore, the concerned respondent is hereby directed to examine the petitioner’s service record read with the ACP scheme. If the petitioner is eligible, the same shall be extended to him including monetary benefits. If the petitioner is otherwise not eligible in that event necessary speaking order shall be passed and communicated to him. The above exercise shall be completed within a period of three months from the date of receipt of this order.

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

(P. B. Bajanthri, J)

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AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

