

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2772 of 2021

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Shree Narain Sinha S/o Late Sheetal Singh R/o Ratwara, Near Kachchi Pakki,
ratwara, Muzaffarpur Susta, District- Muzaffarpur, Bihar-842002

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Water Resources Department, Government of Bihar, Patna
2. The Chief Engineer, Water Resources Department (now known as Flood and Drainage) Muzaffarpur
3. The Superintending Engineer, Flood and Drainage Circle, Muzaffarpur
4. The Executive Engineer, Flood Control Division, Muzaffarpur
5. The Treasury Officer, Muzaffarpur
6. The Accountant (A and E) Birchand patel Path, Patna, Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Ms.Roona, Advocate
For the Respondent/s : Mr.Prabhat Ranjan, AC

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

Date : 28-01-2022

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

In the instant petition, petitioner has prayed for the
following relief(s):-

“(i) For a direction upon the respondents to consider the case of the Petitioner for grant of 1st and 2nd ACP upon completion of 12/24 years of service with all consequences as the Petitioner had completed 24 years of service on 09.08.1999, the day on which the ACP was made effective and as such his case is fit to be considered for grant of 1st and 2nd ACP w.e.f. 09.08.1999.

(ii) For a direction upon the Respondent Executive Engineer (Respondent



No. 4) to submit the report after evaluation of claim of the Petitioner sought by the Chief Engineer vide his letter dated 15.02.2020 as contained in Annexure-4.

(iii) Any other order/orders for which the petitioner is found entitled to in the facts and circumstances of the case.”

Short question for consideration is whether the petitioner is entitled to 1st and 2nd ACP as of when it is due to him. In this regard, representations dated 31.12.2019 & 08.02.2020 are stated to have been furnished is evident from Annexure-3 series.

Therefore, the concerned respondent is hereby directed to decide the petitioner’s representations for the 1st and 2nd ACP and arrears shall be calculated and disbursed to the petitioner within a period of three months from the date of receipt of this order. If the petitioner is not eligible in that event speaking order shall be passed and communicated to the petitioner.

With the aforesaid observations, the present writ petitioner stands disposed off.

(P. B. Bajanthri, J)

Vikash/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	
Transmission Date	N/A

