

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.2470 of 2021**

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Jainath Mishra, S/o Bholanath Mishra, Resident of Village- Mathuradih, Ward No. 12, Thurki Khararo, Muzaffarpur, Turki Khararo, Bihar- 843165.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Road Construction Department, Government of Bihar, Patna.
3. The Chief Engineer, Road Construction Department, Muzaffarpur.
4. The Superintending Engineer, Road Construction Department, North Bihar Circle, Muzaffarpur.
5. The Executive Engineer, Road Construction Division, Sheohar.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mrs. Roona, Advocate  
For the Respondent/s : Mr. Uday Shankar Sharan Singh, GP-19

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

**Date : 27-01-2022**

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

2. State counsel accepts notice on behalf of respondents.

3. Learned counsel for the petitioner is hereby directed to furnish copy of the writ petition to the learned counsel for the respondents.

4. Heard learned counsel for the parties.

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

“(i) For a direction upon the Respondents to consider the case of the Petitioner for grant of promotion in grade pay of Rs.4800/- from the date this grade pay



has been given to the correspondence Clerk Junior to the Petitioner.

(ii) For a direction to the Respondents to grant the benefit of ACP granted to other similarly situated persons w.e.f. 02.08.10 vide office order dated 28.07.2014 as contained in Annexure-1 with all consequences.

(iii) Any other order/orders, direction/directions for which the Petitioner is found entitled to in the facts and circumstances of the present case.”

6. The grievance of the petitioner is narrated in the representations dated 09.11.2019 and 27.12.2019 respectively in respect of grant of Grade Pay of Rs.4800/- and further grant of ACP benefit. The same shall be examined by the concerned respondent in the light of the petitioner's service record along with the Scheme/Rules relating to ACP and other benefits.

7. The above exercise shall be completed by the concerned respondent within a period of three months from the date of receipt of a copy of this order.

8. If the petitioner is otherwise eligible, the same shall be extended to the petitioner along with monetary benefits. If the petitioner is not eligible, in that event speaking order shall be passed and communicate the same to the petitioner within the aforesaid period.



9. With the above observation, the writ petition stands disposed of.

(P. B. Bajanthri, J)

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| CAV DATE          | NA         |
| Uploading Date    | 03.02.2022 |
| Transmission Date | NA         |

