

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11550 of 2021

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Asgari Khatoon Wife of Kamrul Hoda Ansari, resident of Ward No. 15, Birta Bhorha, P.S. Sitamarhi, District – Sitamarhi. Petitioner/s

Versus

1. State of Bihar through the Principal Secretary, Public Health Engineering Department, Viswaiswaraiya Bhawan, Govt. of Bihar, Bailey Road, Patna.
2. Principal Secretary, PHED, Viswaiswaraiya Bhawan, Govt. of Bihar, Bailey Road, Patna.
3. Engineer-in-Chief, PHED, Viswaiswaraiya Bhawan, Govt. of Bihar, Bailey Road, Patna.
4. Chief Engineer (M), PHED, Viswaiswaraiya Bhawan, Govt. of Bihar, Bailey Road, Patna.
5. Chief Engineer, Muzaffarpur Region, PHED, Muzaffarpur.
6. Superintending Engineer, PH Circle, Chhauradano, East Champaran at Motihari.
7. Executive Engineer, PH Sub Division, Dhaka, East Champaran at Motihari.
8. Sub Divisional Officer, PH Sub Division, Dhaka, East Champaran at Motihari.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Yashraj Bardhan, Adv.
For the Respondent/s : Mr.Lalit Kishore (AG)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-11-2023 1. The present writ petition has been filed seeking the following relief(s):-

“1. That the petitioner beseeches indulgence of the Hon'ble Court with a prayer for issuance of writ or writs in the nature of Mandamus commanding the respondents to allow 1st ACP as well as 2nd ACP/MACP calculating his service continuously with effect from 01.12.1990 till the date of his death in service period on dt. 22.10.2018 and to allow him pay protection, in accordance with rules and decision of Public Health Engineering Department, Govt. of



Bihar contained in Memo No. 707, dt. 22.05.2018 as well as of the Finance Department contained in Memo No. 10710, dt. 17.10.2013 and also prays for direction to the respondents for making payment of the consequential benefits ensuing from such grant of the benefit of ACP/MACP including the benefits so accruing in superannuation -cum- death benefits upon grant of such ACP/MACP with continuous service.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the respondent-authorities for redressal of her subsisting grievances, if any. Liberty so sought is granted.

3. It is needless to state that in case the petitioner approaches the Engineer-In-Chief, Public Health Engineering Department, Patna i.e. the respondent no.3, by filing appropriate representation, within a period of four weeks from today, appropriate decision shall be taken thereon and a reasoned and a speaking order shall be passed by the respondent no.3, in accordance with law, within a period of eight weeks, thereafter.

4. The present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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