

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1325 of 2023

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Raj Kumar Son of Bhola Prasad, T.B. Assistant, Primary Health Centre,
Giriyak, District- Nalanda, Resident of Village- Majhanpura, P.O. Karanja,
P.S. Bikram District- Patna.

... .. Petitioner

Versus

1. The State of Bihar through Principal Secretary, Health Department, Bihar, Patna.
2. Director in Chief, Health Services, Health Department, Vikash Bhawan, Bihar, Patna.
3. Joint Secretary cum Service Complain Redressal Officer, Health Department, Vikash Bhawan, Patna.
4. District T.B. Officer, Nalanda, Bihar Sharif.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Naresh Chandra Verma, Advocate
For the Respondent/s : Mr.Kamlesh Kishore AC to SC-12

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-04-2023 Learned counsel for the petitioner undertakes to remove the defect nos. 1 and 89 in course of the day. As regards defect no. 112, learned counsel undertakes to remove the said defect within two weeks’.

Subject to above, on the request of learned counsel for the petitioner and with the consent of learned counsel for the State, this application is being disposed of.

This writ application has been filed for issuance of a direction to the respondents to grant second ACP to the petitioner from 02.01.2022 with all consequential benefits.

It is the case of the petitioner that he was appointed as T.B. Assistant on 24.12.2001 by respondent no. 2, he joined on 02.01.2002 under respondent no. 4 and at present he is posted as T.B. Assistant



Primary Health Centre Giriyak, Nalanda. Learned counsel submits that after completion of 10 years, the petitioner got his first ACP from 02.01.2012 and after completion of 20 years of service on 02.01.2022 he became entitled to get second ACP. In this regard, he has submitted a representation to respondent no. 4 vide Annexure '1' to the writ application. He has also submitted a representation before respondent no. 3 which is Annexure '2' to the writ application.

Learned counsel for the State submits that in such circumstances an appropriate direction may be issued to the concerned respondent to consider the case of the petitioner and pass an appropriate reasoned order thereon.

Having regard to the nature of grievance of the petitioner, this Court directs respondent no. 3 to immediately consider the grievances of the petitioner, hear him and pass a reasoned order on his grievance petition (Annexure '2' to the writ application) within a period of three months from the date of receipt/ production of a copy of this order. It goes without saying that in case, the petitioner is found entitled for the second ACP the same be paid to him within one month after passing of the order.

This writ application stands disposed of.

(Rajeev Ranjan Prasad, J)

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