

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4005 of 2020

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Smt. Sweta Rashmi, daughter of Smt. Shashi Bala, wife of Sri Rajesh Kumar,
resident of E.W.S. 4/6 Housing Colony, Chhota Gobindpur, Barsudih,
Jamsedpur, Dist East Singhbhum, Jharkhand.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Department of Agriculture, Govt. of Bihar, Patna.
2. The Director, Agriculture, Govt. of Bihar, Patna.
3. The Joint Director, Plant Protection Centre, Ara, District Ara.
4. The junior Plant Protection Director, Plant Protection Centre Pulwarisharif, Patna.
5. That Accountant General, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amarendra Narayan, Adv.

For the Respondent/s : Mr. Nilotpal Sharma (AC to GP-21)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

5 20-06-2024 Learned counsel for the petitioner and learned counsel
for the respondents are present.

2. Learned counsel for the petitioner submits that her mother was a Government servant and she has filed the present writ petition for directing the respondents to grant and pay benefits of ACP as well as annual increments attached with her post, but during the pendency of the writ petition, she died.

3. Learned counsel for the petitioner submits that substitution petition has been filed which has been allowed. On merit, counsel for the petitioner only submits that counter affidavit has come and in the counter affidavit, it has been accepted by the officials that the competent authority has sent a



written letter to the Joint Director, Plant Protection Centre, Ara, Bihar *vide* its letter no.168 dated 02.06.2020 for the purpose of providing benefit to the petitioner's mother, but till date, no decision has been taken at the level of Joint Director who is respondent no.3 in the present case. Counsel further submits that the petitioner is entitled to take benefit without passing of examination and in support there of, he is relying on certain circulars.

4. In the light of the submissions, it is directed to the Joint Director, Plant Protection Centre, Ara, Bihar (respondent no.3) to pass order on merit within 90 days from the date of filing fresh representation by the petitioner annexing all the relevant circulars in support of her claim within four weeks from today.

5. It is made clear that counting of the said 90 days shall be started after receiving the representation from the petitioner.

6. Accordingly, with the aforesaid direction, this writ petition is hereby disposed off.

(Dr. Anshuman, J)

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