

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4569 of 2024

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Nita Devi Wife of Late Vishwambhar Jha @ Bishambar Jha, Resident of
Village- Siswa, P.S. - Pandaul, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare Department, Main Secretariate, Patna.
2. The Director, Directorate of Integrated Child Development Services (ICDS for short), Indra Bhawan, Ram Charitra Path, Boring Canal Road, Patna.
3. Additional Chief Secretary, Department of Finance, Government of Bihar, Main Secretariat Patna.
4. District Magistrate, Darbhanga.
5. Child Development Project Officer, Singheshwar (Madhepur), Darbhanga.
6. District Programme Officer (ICDS) Darbhanga.
7. Account General, Bihar, Bir Chand Patel Path, R-Block, Patna, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Braj Kishore Singh, Advocate Mr. Kishore Kumar Thakur, Advocate
For the Respondent/s	:	Government Pleader (25)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-03-2024 The present writ petition has been filed
seeking the following relief:-

"i) For a direction to the respondents to re-fix the pension and other death-cum-retirement benefits payable to the late husband of petitioner by allowing him the benefit of 1st, 2nd and 3rd ACP/MACP with effect from 09-08-1999, 01-01- 2009 and 25-01-2015 to which the late husband of the petitioner is entitled to get, by counting the entire length



of service rendered by him in his earlier organisation, i.e., Directorate of Adult and Non-formal Education (now Known as Mass Education) in terms with Rule 22 of the MACP Rules 2010.

(ii) Further prayer in the present writ application is to make payment of arrears of salary to the petitioner which is payable to the late husband of petitioner on grant of such 1st, 2nd and 3rd MACP to him from due dates in the light of the Division Bench judgment of this Hon'ble Court rendered in L.P.A. no 438 of 2017.

(iii) The petitioner further prays that the entire payments that may become payable to the Late husband of petitioner as a result of grant of ACP/MACCP to him and consequent re-fixation of his pension and other death-cum-retiral dues, be paid to the petitioner, she being the legally married wife/widow of Late Vishwambhar Jha, i.e, the deceased employee. Accordingly, family Pension of the petitioner be also re-fixed."

2. After some arguments, the learned counsel for the petitioner seeks not to press the writ petition, however, seeks liberty on behalf of the petitioner to approach the respondent-



authorities for redressal of his aforesaid grievance.
Liberty, so sought, is granted.

3. The writ petition stands dismissed as not
pressed.

(Mohit Kumar Shah, J)

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