

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3869 of 2017

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Gopal Prasad Sah Son of Late Bhola Sah, resident of Banka, P.O. P.S.- Banka,
District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary Revenue Department, Bihar, Patna
2. The Commissioner, Bhagalpur.
3. The District Magistrate, Banka.
4. The Circle Officer, Amarpur, Banka.

... .. Respondent/s

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Appearance :

For the Petitioner/s : None

For the Respondent/s : Mr. Sajid Salim Khan-SC-25

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CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL JUDGMENT

Date : 12-12-2024

None appears on behalf of the petitioner.

However, heard learned counsel for the respondent-State.

2. This writ petition has been filed for a direction to the respondents to give salary to the petitioner on the basis of sanctioned A.C.P. with effect from 09.08.1999, which was granted to the petitioner on 19.02.2007 vide Gyapank No. 33 (Pra) issued under the signature of the District Magistrate, Banka and also for a direction to the respondent authorities to produce the Gyapank No. 33(Pra) dated 19.02.2007 and



Gyapank No. 1204 dated 29.12.2010, by which the petitioner was granted first and second A.C.P. with effect from 09.08.1999.

3. Respondent nos. 1 to 4 have filed a counter affidavit, wherein in paragraph no. 7, it has been stated as under:-

“That so far as arrear of salary after grant of Ist and 2nd A.C.P. has already been paid to the petitioner vide Bill No. 24/17-18 amounting to Rs. 41,515/ for the period from 09.08.99 to 14.11.2000 and vide Bill No. 25/17-18 amount of Rs. 5,88,042/- has been paid for the period from 15.11.2000 to 31.12.2008 after grant of benefit of Ist and 2nd A.C.P.”

4. On perusal of paragraph no.7 of the counter affidavit filed by the respondent nos. 1 to 4, it transpires that the arrears of salary after grant of first and second ACP, as prayed for by the petitioner in this writ petition, has already been paid to him. Though, the counter affidavit by respondent nos. 1 to 4 has been filed on 30.11.2017, but till date no reply to the counter affidavit has been filed by the petitioner denying the correctness of contention made in paragraph no.7 of the counter affidavit.

5. Under the circumstances, I find that the grievances of the petitioner have been redressed by the respondent authorities.



6. The writ petition is, accordingly, disposed off.

(Nani Tagia, J)

Amrendra/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	12/12.2024
Transmission Date	N/A

