

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Miscellaneous Jurisdiction Case No.2793 of 2024**

**In**  
**Civil Writ Jurisdiction Case No.5528 of 2023**

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Bishwanath Pandey, S/o Late Sidnath Pandey Resident of Village Sahora P.S.-  
Gaurichak Distt.-Patna.

... .. Petitioner/s

Versus

The State of Bihar & Ors.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Subodh Kumar, Advocate

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      06-09-2024                      The present modification petition has been filed for  
  
modifying the order dated 01.11.2023, passed in CWJC  
  
No.5528 of 2023, in an appropriate manner, inasmuch as, it is  
  
the submission of the learned counsel for the petitioner that  
  
since the order dated 16.05.2012, issued by the Chief Engineer,  
  
Ganga Bridge Project, Road Construction Department, Bihar,  
  
Patna, has not been quashed, the respondent department is not  
  
adhering to the directions of this Court issued vide order dated  
  
01.11.2023.

2. Having regard to the facts and circumstances of the  
  
case, this Court finds that the directions issued vide order dated  
  
01.11.2023 are very clear inasmuch as the respondents have  
  
been directed to make payment of the benefits accruing on  
  
account of grant of first ACP and second ACP, within a period



of six weeks of receipt/production of a copy of the said order dated 01.11.2023 passed in CWJC No.5528 of 2023, based on the submission of the respondent-State to the effect that the claim of the petitioner for grant of first ACP and second ACP has already been accepted and the Superintending Engineer, North Bihar Road Circle, Muzaffarpur has written a letter dated 10.06.2023 to the Chief Engineer, North, Road Construction Department, Bihar, Patna, for releasing of funds for making payment of the benefits accruing on account of grant of ACP/ MACP to the petitioner, hence there is no question of the same being impeded by the order contained in memo dated 16.05.2012, which would not, in any view of the matter, preclude payment of the aforesaid monetary benefits to the petitioner.

3. The present petition stands disposed off with the aforesaid clarification.

**(Mohit Kumar Shah, J)**

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