

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.13790 of 2023**

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Shambhu Pandey S/o Late Bharat Pandey, Resident of Village- Mangalpur, Gudariya, P.S.- Nautan, District- West Champaran, At present resident of Gandhi Nagar, Baswariya, P.S.- Town, District- West Champaran, Pin Code- 845438.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Department of Social Welfare, Govt. of Bihar, Patna.
3. The Principal Secretary, Department of Finance, Govt. of Bihar, Patna.
4. The Director, I.C.D.S. Bihar, Patna.
5. The District Magistrate, West Champaran, Govt. of Bihar.
6. The District Programme Officer (ICDS), West Champaran.
7. The Child Development Project Officer, Bagha-01, Bagha, District- West Champaran.

... .. Respondent/s

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**Appearance :**

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|----------------------|---|-------------------------------------------------------------------------|
| For the Petitioner/s | : | Mr. Chandra Shekhar Singh, Advocate<br>Mr. Shyam Sundar Kumar, Advocate |
| For the State        | : | Mr. Md. Raisul Haque, SC 10<br>Mr. Binay Kumar, Advocate                |

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**CORAM: HONOURABLE MR. JUSTICE NANI TAGIA**

**ORAL JUDGMENT**

**Date : 19-02-2024**

Heard Mr. Chandra Shekhar Singh, learned counsel for the petitioner and Mr. Binay Kumar, learned counsel for the State.

2. This writ petition has been filed seeking a direction to the respondents for payment of pension and other retiral dues like G.P.F, G.I.C, leave encashment, gratuity as well as for grant of benefit of A.C.P.

3. Respondent Nos. 5, 6 and 7 have filed counter affidavit



and a supplementary counter affidavit wherein it has been stated that the retiral dues like GPF, GIC and leave encashment have been paid to the petitioner and a provisional pension and gratuity of 90 percent each have been paid to the petitioner due to pendency of a departmental proceeding against the petitioner. In so far as the provisional pension and gratuity paid to the petitioner to the extent of 90 percent, pending conclusion of a departmental proceeding are concerned, the petitioner does not have any grievance.

4. Learned counsel for the petitioner also admits to have received the retiral dues like GPF, GIC and leave encashment by the petitioner. The petitioner, according to the learned counsel, therefore, does not have further grievance in so far as the pension, gratuity, GPF, GIC, leave encashment are concerned. However, in so far as the grant of benefit of ACP is concerned, it has been stated in the counter affidavit and the supplementary counter affidavit filed by the respondent Nos. 5 to 7 that the same is under process for payment to the petitioner.

5. In that view of the matter, since the petitioner does not have any further grievance except non-payment of benefit of A.C.P which are stated to be under process for payment to the petitioner by the respondent authority as indicated in the counter



affidavit and the supplementary affidavit filed by the respondent Nos. 5, 6 and 7, this writ petition is hereby disposed of with a direction to the respondent authorities to complete the process for payment of A.C.P to the petitioner within a period of six weeks from the date of receipt of a certified copy of the order passed in this writ petition.

6. Writ petition is disposed of with the above direction.

**(Nani Tagia, J)**

Prakash/-

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