

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18239 of 2022

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Krishna Shekhar Jha S/o Late Rameshwar Jha, R/o Village- Bhakhrain, P.S.-
Madhepur, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Water Resources Department,
Govt. of Bihar, Patna.
2. Secretary, Water Resources Department, Govt. of Bihar, Patna.
3. Superintending Engineer, Western Koshi Canal Division, Darbhanga.
4. Executive Engineer, Western Koshi Canal Division, Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Baidya Nath Thakur, Advocate
For the Respondent/s : Mr. Vikash Kumar, SC 11

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CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

2 25-06-2024 The instant writ petition is filed by the petitioner, a

superannuated employee under the Water Resource Department,

State of Bihar, he superannuated from his service on 30th June

2016, from the office of Executive Engineer, Western Koshi

Canal Division, Darbhanga (respondent no. 04).

2. The petitioner is compelled to file the instant writ
petition, alleging, *inter alia*, that at the time of his
superannuation, he was not paid the differential amount which
he was entitled to receive due to ACP and MACP.

3. In the counter affidavit has been filed on behalf of
the respondent no. 04, it is clearly stated in paragraph 12 that the
petitioner was granted benefits of ACP/MACP, but the



differential amount could not be paid on the ground that he did not file requisite documents which are necessary for disbursement of the said amount. Further, in paragraph 17 of the counter affidavit, it is admitted by the respondent no. 04 that the respondents shall disburse the arrear salary and other admitted dues on account of grants of benefits of ACP/MACP, provided the petitioner submits the requisite documents.

4. In view of such, stand being taken by the respondent no. 04. The instant writ petition is disposed of granting liberty to the petitioner to produce relevant documents as per the requirement of respondent no. 04 within 15 days from the date of communication of this order and on production of requisite documents, the respondent no. 04 shall disburse the arrear salary with other admissible dues within 60 days thereafter. The petitioner is liberty to act on the server copy of the order.

5. Accordingly, the instant writ petition is disposed of .

(Bibek Chaudhuri, J)

Suraj Dubey/-

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