

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.89 of 2019

In
Civil Writ Jurisdiction Case No.20240 of 2014

=====

Urmila Devi Wife of Late Suchit Prasad Singh, aged about 71 years, Male,
Resident of Vilalge- Abhaypur, P.O.- Abhaypur, P.S. Surajgarha, District-
Lakhisarai, at present R/o- Professor Colony, Power house Colony Road,
Begusarai, Deep Shekha Road, P.S. - Begusarai, District- Begusarai.

... .. Petitioner/s

Versus

1. The State Of Bihar through Shri Amrit Lal Meena, the Secretary-cum
Principal Secretary, Road Construction Department, Government of Bihar,
Patna.
2. Shri Ramavatar Singh Chief Engineer (N.B. Patna), road Construction
Department, Government of Bihar, Patna.
3. Shri Anjani Kumar Suman Executive Engineer, Construction Department
Road Division, Begusarai.
4. Shri Amarnath Pathak Superintending Engineer, Road Construction
Department, Begusarai.
5. Dr. Nilotpall Goswami, Principal Accountant General-cum-Accountant
general, Birchand Patel Path, Patna.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s :	Mr. Rakesh Kumar, Advocate
For the Opposite Party/s :	Mr. Amit Prakash, Advocate
	Mr. Rajeev Shekhar, AC to GA-13
For the A.G, Bihar :	Dr. Anand Kumar, Advocate
	Ms. Vijeta Kumari, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL ORDER

3 02-04-2025 Heard learned counsel for the parties.

2. This contempt petition has been filed alleging
violation of the order dated 24.07.2018 passed in C.W.J.C. No.
20240 of 2014, wherein, in paragraph nos. 3, 4, 5 & 6, following
orders have been passed, which are as under:

*“3. Counter affidavit has admitted
the claim of the petitioner. Specific stand is*



that the Vigilance PS Case No. 19 of 1996 has been disposed of after the death of petitioner's husband and the petitioner's husband late Suchit Prasad Singh has been included in the list of persons entitled to get benefit of ACP and the same is only to be processed as per the RCD letter dated 16.03.2015 bearing Memo No 2342(S). The said stand was taken in the instant proceedings by filing a counter affidavit way back in July, 2015. Till today, learned counsel for the petitioner submits that the benefits have not been given.

4. Since the decision in favour of the petitioner has already been taken acknowledging the benefits of ACP, no useful purpose will be served in keeping the writ petition pending.

5. The writ petition is disposed of with a direction that respondent No 1 would ensure that benefits, pursuant to the said decision taken note of hereinabove, are made available to the widow of the Government employee without any further delay and preferably within a period of eight weeks from the date of receipt/production of a copy of this order.

6. In case of failure to make available the benefits within the said period, the dues shall carry interest at the rate of 10% with effect from the date of the letter dated 16.03.2015 that is the decision in favour of petitioner's late husband"

3. A show cause has been filed by the Opposite Party Nos. 1 to 4, wherein, in paragraph nos. 5, 6 & 7, it has been stated as under:



“5. That it is humbly submitted that the petitioner’s husband has been granted 1st ACP and 2nd ACP from 09.08.1999 after completion of 12 and 24 years of service.

6. That it is submitted that on the basis of granting of ACP, office order was issued on 19.01.2022 fixing the pay of the petitioner.

7. That on the basis of granting benefits of ACP, total amount payable to the petitioner was quantified to Rs. 70425/- and this amount was paid to the petitioner.”

4. On perusal of the averments made in paragraph nos. 5, 6 & 7 of the show cause filed by the O.P. Nos. 1 to 4, I find that the order dated 24.07.2018 passed in C.W.J.C. No. 20240 of 2014 has been complied with by the opposite parties.

5. In that view of the matter, this contemp petition stands closed and disposed off.

(Nani Tagia, J)

Nilmani/-

U			
---	--	--	--

