

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25049 of 2013

Dr. Shiv Bachchan Pandey Son Of Late Lalo Pandey Resident Of Mohalla-
Kanta Kunj, Vachaspati Nagar, Police Station Bahadurpur, District- Patna

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director-In-Chief Health Services, Bihar, Patna
3. The Joint Director Health Services-Cum-Public Information Officer, Bihar,
Patna
4. The Superintendent, Patna Medical College and Hospital, Patna
5. The Programme Director, Post Partum Programme-Cum-Superintendent,
P.M.C.H. Patna
6. The Principal, Patna Medical College and Hospital, Patna

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Bijay Kumar Pandey, Adv.
For the Respondent/s	:	Mr. Anant Pd. Singh, SC15
		Mrs. Deepika Sharma, AC to SC15

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-07-2025 Heard Learned Counsel for the petitioner and

Learned Counsel for the State.

2. Learned Counsel for the petitioner submits that the

present writ petition has been filed with the following reliefs:-

*I. That, this is an application is for
issuance of an appropriate, writ(s), direction(s) or
order commanding and directing the respondents
to grant benefit of A.C.P. (Notional) to the
petitioner with interest with effect from 1.8.2003,
who after completion of 12 years of service on
same post and Pay scale as Lecturer (Non
Medical) in Health Education & Family Welfare*



and superannuated on 31.7.2004 as health Education officer, State Family Welfare Bureau, Bihar, Patna after closure of Post Partum Programme Scheme in same Pay scale.

During service period and even after superannuation the petitioner made many representations to pay the same then at last in 2009 i.e. on 1.4.2009 the respondent Joint Director health Services- cum-Public Information officer in its Memo No.135(12) had directed the petitioner to make available certain relevant documents and in compliance the petitioner has submitted all the required documents soon but till date the respondents has pay no heed as such the petitioner is not getting the benefit of A.C.P. though he worked for more than 12 years on same pay scale.

3. Counsel for the petitioner further submits that the petitioner has completed 12 years of his work, but A.C.P. has not been granted to him only on the ground that he has not passed the examination of accounts. He further submits that the issue involved in the present writ petition has already been decided by the Hon'ble Full Bench of this Court in case of *Kamlanand Thakur Vs. State of Bihar* passed in C.W.J.C. No.18727 of 2017.

4. Counsel for the State submits that it is true that Hon'ble Full Bench of this Court has decided this matter on 28th



June, 2024.

5. In the light of the submissions made, the present writ petition is hereby disposed off directing the petitioner to file a fresh representation along with the decision made by Hon'ble Full Bench of this Court in case of ***Kamlanand Thakur Vs. State of Bihar*** passed in **C.W.J.C. No.18727 of 2017** before the Director-in-Chief Health Services, Bihar, Patna (respondent No.2) within 30 days along with this order and respondent No.2 shall pass a reasoned and speaking order within 90 days after receiving the same thereafter.

6. It is made clear that the order impugned shall not be barrier for the respondent No.2 in deciding the matter of the petitioner.

7. With the aforesaid directions and observations, the present writ application stands disposed off.

(Dr. Anshuman, J.)

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