

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3720 of 2019

In
Civil Writ Jurisdiction Case No.6962 of 2015

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Rajendra Prasad Kesary Son of Late Deonandan Prasad Singh Resident of
Village- Asadpur- Satpura, P.S.- Bhagwanpur, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through Sri Arun Kumar Singh, male, aged about years, name of father not known to the petitioner, The Principal Secretary, Water Resources Department, Sinchai Bhawan, Patna.
2. Sri Arun Kumar Dwivedi, male, aged about years, name of father not known to the petitioner, Deputy Secretary, Water Resources Department, Government of Bihar, Sinchai Bhawan, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kishore Kumar Thakur, Advocate

For the Opposite Party/s : Mr. Anjani Kumar (Aag 4)

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CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL ORDER

4 14-05-2025 This contempt petition has been filed alleging violation of order dated 30.04.2019 passed in CWJC No. 6962 of 2015, wherein, this Court has passed the following order:-

"In view of such report submitted to the Joint Secretary, it is now, not open to the respondents to contend absence of ACR for the relevant period for considering his claim for grant of 2nd ACP and 3rd MACP. Let claim of the petitioner for grant 2nd ACP and 3rd MACP with effect from 2009-10 be considered by Respondent No. 1 on the basis of said communication dated 24.10.2013 placed on record by rejoinder filed in the instant proceeding. Let



consideration be done within eight weeks from the date of receipt/production of a copy of this order and any amount found due and admissible should be paid to the petitioner within four weeks thereafter.

2. Opposite party No. 1 has filed a show cause, wherein, in paragraph Nos. 9, 10 and 11 it has been stated as under:-

"9. That it is stated that immediately after receipt of the order of the Hon'ble Court, the Engineer-in-Chief (Headquarter), Water Resources Department, Bihar, Patna considered the case of the petitioner in the light of the Hon'ble Court's direction and has passed a reasoned and speaking order on 11.11.2019 taking into consideration the communication dated 24.10.2013 as directed by the Hon'ble Court.

10. That the Engineer-in-Chief (Headquarter), Water Resources Department, Bihar, Patna while considering the case of the petitioner has also taken note of the report of the Departmental Screening Committee dated 09.05.2019, wherein the Departmental Screening Committee found the petitioner ineligible for grant of benefits of 3rd M.A.C.P. in view of the punishment order, so far as



the 2nd A.C.P. is concerned the same has been kept pending for want of Character Roll of the relevant years, up to date Bio-data and vigilance clearance.

11. That it is relevant to state here that case of the petitioner for grant of benefits of 2nd A.C.P. has again to be placed before the Departmental Screening Committee, on the basis of his character roll and the outcome of final result of the departmental proceeding converted under Rule 43(B) of the Bihar Pension Rules.

3. On perusal of the averments made in the show cause by the opposite party No. 1, as extracted hereinabove, I find that the order dated 30.04.2019 passed in CWJC No. 6962 of 2015 has been duly complied with by the respondents.

4. In view of the above, this contempt application stands closed and disposed off.

(Nani Tagia, J)

Siddharth
Sagar/-

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