

(2013) 09 JH CK 0002
In the Jharkhand High Court
Case No : W.P. (S) No. 5400 of 2013

Bhikhari Prasad

APPELLANT

Vs

The State of Jharkhand and Others

RESPONDENT

Date of Decision : 24-09-2013

Acts Referred:

Citation : (2014) 2 JLJR 123

Hon'ble Judges : Aparesh Kumar Singh, J

Bench : Single Bench

Final Decision : Disposed Off

Judgement

Aparesh Kumar Singh, J.—Heard learned counsel for the parties. The petitioner is said to have retired from the post of Moharir on 31.3.2009, after rendering 38 years 6 days of continuous service, from the office of Settlement Office, Ranchi under the respondent-Land Records and Survey, Revenue and Land Reforms Department, Government of Jharkhand.

2. Details of the petitioner's service records have duly been sent to the office of Accountant General and consequent thereupon he has prayed for 100% pension though the same has not been finalized. It is contention of the petitioner that he is entitled for the benefits of 1st and 2nd A.C.P. schemes upon completion of 12 and 24 years and also the benefits of M.A.C.P. upon completion of 30 years of continuous service on the same post, which has not been granted. In the circumstances, the petitioner has approached this Court when his representations have been remained unredressed, Annexures-3 and 3/1 to the writ petition.

3. Learned counsel for the respondent-State submits that if the petitioner approaches the respondent No. 3, Director, Land Records and Survey, Revenue and Land Reforms Department, Government of Jharkhand with a fresh representation, his grievances shall be looked into in accordance with law and rule framed for grant of A.C.P. and M.A.C.P. by the respondent-Government of

Jharkhand.

4. In the circumstances, without going into the merits of the case of the petitioner, the writ petition is disposed of by allowing the petitioner to file a fresh representation before the respondent No. 3, Director, Land Records and Survey, Revenue and Land Reforms Department, Government of Jharkhand for redressal of his aforesaid grievances relating to grant of A.C.P. and M.A.C.P. as also to finalize his pension within a period of three weeks, together with all supporting facts and documents. On receipt of such representation, the respondent No. 3, Director, Land Records and Survey, Revenue and Land Reforms Department, Government of Jharkhand shall consider the same in accordance with law and after due verification of the service records of the petitioner, take an informed decision by passing a speaking and reasoned order within a period of 12 weeks thereafter, which shall also be communicated to the petitioner.

5. Needless to say, if the petitioner is found to be legally entitled to such grant of A.C.P. and M.A.C.P., the payment shall be made in lieu thereof, including arrears arising out of such grant be disbursed to him within a period of eight weeks thereafter and necessary sanction order for finalization of his pension be sent to the office of Accountant General within the said time. Thereafter, authority slip shall be issued by the office of Accountant General, if there are no legal impediments. Accordingly, the writ petition is disposed of in the aforesaid terms.