
(2011) 11 JH CK 0034

In the Jharkhand High Court

Case No : Writ Petition (S) No. 4243 of 2011

Dr. Ramesh Chandra Sahay

APPELLANT

Vs

The State of Jharkhand and Others

RESPONDENT

Date of Decision : 14-11-2011

Acts Referred:

Citation : (2011) 11 JH CK 0034

Hon'ble Judges : Prashant Kumar, J

Bench : Single Bench

Judgement

Prashant Kumar

1. This application has been filed for issuance of direction commanding upon the Respondents to give benefit of Second Assured Career Progression (A.C.P.) to the petitioner, as he has already completed 24 years of service.

2. It is stated that while petitioner was posted in the State of Bihar before the reorganization of the State of Jharkhand, the authority at Bihar had passed order (Annexure3) that petitioner is entitled to get First A.C.P. with effect from 09.08.1999 and Second A.C.P. with effect from 15.07.2005. It is further submitted that while petitioner was posted at Bihar, he got First A.C.P., but before getting the benefit of Second A.C.P., his services allocated to the newly created State of Jharkhand and accordingly, as per the notification, he joined in the State of Jharkhand on 28.08.2006. Thereafter, petitioner had made several representation for giving the benefit of Second A.C.P., but the respondents had not given any heed to the said request of the petitioner. Accordingly, the present writ application filed.

3. A counter affidavit filed wherein the State Government had taken stand that they are taking steps for giving A.C.P. to all the Officers posted in the Health Department and for that purpose necessary steps had already been taken. It is also stated that the respondents are keen to give benefit of A.C.P. to the petitioner after completion of the formalities as contained under the Circular

issued by the State of Jharkhand.

4. Considering the aforesaid stand of the State of Jharkhand, I dispose of this application with the direction to the State Government to give the benefit of Second A.C.P. to the petitioner within three months from today, if petitioner is otherwise eligible.

5. J.C. to Sr. S.C.II is directed to communicate this order to the Secretary, Department of Health, State of Jharkhand for necessary action.