
(2009) 07 PAT CK 0013
In the Patna High Court
Case No : CWJC No. 7255 of 2009

Ganori Mandal

APPELLANT

Vs

The State of Bihar and Others

RESPONDENT

Date of Decision : 01-07-2009

Acts Referred:

Citation : (2011) 1 PLJR 227

Hon'ble Judges : V.N. Sinha, J

Bench : Single Bench

Judgement

V.N. Sinha, J.—Heard learned Counsel for the Petitioner and the State.

2. Petitioner superannuated while serving as Gardner in the Road Construction Division, Bhagalpur. He has filed this writ application for a direction to the authorities of the State Government to consider and grant him Assured Career Progression under the ACP Scheme, 2003 as also to consider his case for grant of other consequential benefits.

3. It is submitted on behalf of the Petitioner with reference to Annexure-10, which is the letter of the Secretary, Building Department addressed to the Additional Commissioner, Finance Department that the claim of the Petitioner for grant of ACP in terms of the aforesaid scheme is not being considered as his service book is lying with the Finance Department and for return of the service book the Petitioner even knocked the doors of Hon"ble the Chief Minister and direction being issued, the service book is not being returned. Such is the hopeless situation prevailing in the Secretariat of the State, which is evident from the aforesaid letter of the Secretary, Building Department addressed" to the Additional Commissioner, Finance Department.

4. Taking note of the hopeless situation prevailing in the Secretariat, this Court directs the Finance Commissioner, Finance Department, Bihar; Patna to ensure that the service book of the Petitioner is returned to the concerned Superintending Engineer as early as possible, in any case within two weeks from

the date of receipt/ production of a copy of this order and thereafter the Superintending Engineer should consider the case of the Petitioner for grant of ACP and pass a reasoned order in accordance with law as early as possible, in any case within one month from the date of receipt of the service book of the Petitioner. It goes without saying that if any payment is found due to the Petitioner, the same be paid to him within another one month of the passing of the reasoned order.

5. This writ application is, accordingly, disposed of.