

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4471 of 2013

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Udai Prakash Sharma S/O Late Uma Kant Lal Resident Of Village- Bulakipur, P.S-
Dalsingsarai, District- Samastipur.

.... Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary Public Health Engineering Department, Vishweshariya Bhawan, Patna.
2. The Engineer In Chief Public Health Engineering Department, Vishweshariya Bhawan, Patna.
3. The Chief Engineer (Mechanical), Public Health Engineering Department, Vishweshariya Bhawan, Patna.
4. The Superintending Engineer, P.H. Circle, Darbhanga.
5. The Executive Engineer, P.H. Division, (Mechanical), Darbhanga.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Gunjan Kumar Jha, Adv.
Mr. Bam Bahadur Jha, Adv.
Mr. Sushil Kumar Jha, Adv.

For the Respondent/s : Mr. P.K. Verma, AAG 5

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 19-02-2016

Heard learned counsel for the petitioner and learned counsel
for the State.

In this case the petitioner has sought relief with regard to full salary for the period 1.06.2002 - 30.06.2006 and other reliefs. But the petitioner has modified his prayer with regard to entitlement of MACP in terms of 2010 MACP Rules which has been made effective from 1.1.2009 in view of the changed situation.

In view of enforcement of new Rule entitlement of MACP has to be first examined by competent authority under aforesaid rule and take a decision

with regard to relief what he has sought.

In such view of the matter, this Court is disposing of the writ application with liberty to the petitioner to file representation before the competent authority with full detail of fact and the competent authority will examine the case of the petitioner and take a decision by passing a reasoned order within a period of six months from the date of receipt of a copy of this order.

(Shivaji Pandey, J)

Prakash/-

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