

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11648 of 2013

=====

1. Lalan Kumar Singh Son Of Late Shri Vidya Binod Singh Resident Of Mohalla -
355 M.I.G., Lohia Nagar, Kankarbagh Colony, Patna - 20

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Water Resources Department, Government Of Bihar,
Patna
3. The Special Secretary, Water Resources Department, Bihar, Patna
4. The Deputy Secretary, Water Resources Department, Bihar, Patna
5. The Under Secretary, Personal Claim And Fixation Cell, Old Secretariat, Patna
6. The Accountant General, Bihar, Patna

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Jha,
Mr. Suryakant Mishra, Advocates.
For the State : Mr. Ravindra Nath Dubey, AAG 12
Mr. Sanjeet Tiwary, AC to AAG 12.

=====

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 29-01-2016

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

In the present writ petition, petitioner is challenging the
order dated 27.11.2012 issued under signature of the Under
Secretary, Personal Claim and Fixation Cell, Patna by which the
claim of the petitioner for grant of benefits of Modified Assured
Career Progression (hereinafter referred to as “MACP”) has
been rejected.

In the present case save and except the relief of MACP



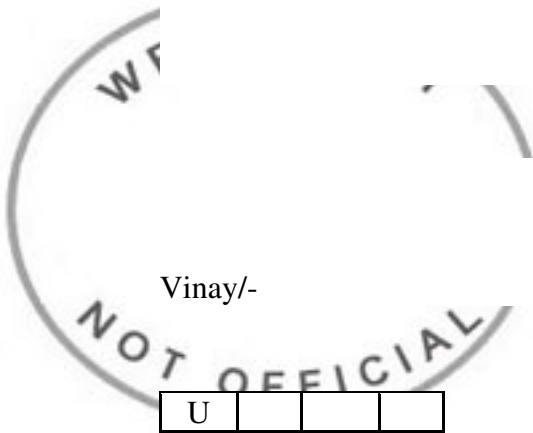
benefits of ACP has been granted to the petitioner. As per claim of the petitioner, he is not only entitled for first and second ACP but also entitled to third MACP which an employee gets having completed 30 years of service. As per claim of the petitioner he has already completed 30 years of service on 5.2.2009 and as such he is entitled to the relief of third MACP also. He has further submitted that certain juniors who have been mentioned in Annexure 9 have been granted third MACP but petitioner has been deprived of the said benefit.

In such view of the matter, learned counsel for the State submits that petitioner may file representation before the authority concerned who will consider his case and pass order in accordance with law.

In view of such submission made by the State, petitioner is directed to file a detailed representation giving entire facts and supporting documents before the Principal Secretary, Water Resources Department, Government of Bihar, Patna (respondent no.2). If such a representation is filed by the petitioner, respondent no.2 will examine the case of the petitioner and pass a reasoned order within a period of eight weeks from the date of filing of the representation.

With the aforesaid observation this writ petition is

disposed of.



Vinay/-

U			
---	--	--	--

(Shivaji Pandey, J)