

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.509 of 2016

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1. Ram Naresh Roy aged about 61 years Son of Late Haribansh Roy Resident of
C/O Engineer Arun Kumar , House No.8, Nandan Puri , Khajpura , Police Station
Rajiv Nagar , District - Patna .

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary , Road Construction
Department , Vishwesharaiya Bhawan , Patna .
2. The Engineer-in-Chief, Road Construction Department, Vishwesharaiya Bhawan
, Patna.
3. The Principal Secretary, Finance Department, Old Secretariat, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rupak Kumar, Adv.

For the Respondent/s : Mr. Kumar Priya Ranjan SC23

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 03-04-2018

Heard Mr. Rupak Kumar, learned counsel for the petitioner and
learned counsel for the State.

The writ petition is filed seeking a direction in the nature of
mandamus for commanding the respondents to grant third MACP to
the petitioner with effect from 23.12.2012 together with the
consequential benefits on completion of 30 years of service under the
provisions of the Modified Assured Career Progression Rule, 2010.

A counter affidavit is filed and learned State counsel in
reference to the statement made in paragraphs 5 and 6 informs that the
case of the petitioner was placed before the Committee for such
consideration but in absence of his confidential report that his claim



for third MACP has been kept pending. It is submitted that no sooner the C.R's of the petitioner is received that the decision would be taken.

Having heard learned counsel for the parties and considering that for an intra departmental correspondence on completion of formalities that the claim of the petitioner has been kept pending, I deem it proper to direct the Engineer in Chief, Road Construction Department, Vishwesharaiya Bhawan, Patna who is stated to be the appropriate authority to procure the confidential report of the petitioner for the period in question from the authority concerned and pass appropriate order on his claim expeditiously and preferably within 3 months from the date of receipt/production of a copy of this order.

The writ petition is allowed with the direction aforementioned.

(Jyoti Saran, J)

Bibhash/-

AFR/NAFR	NAFR
CAV DATE	NA
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