

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.230 of 2018

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Virendra Prasad Thakur, son of Late Ram Balak Thakur, resident of
Village- Pirapur, P.S.- Piar, District- Muzaffarpur. Petitioner/s
Versus

1. The State of Bihar, through Principal Secretary, Human Resource
Department, Government of Bihar, Patna.
 2. Director, Secondary and Primary Education, Government of Bihar,
Patna.
 3. District Education Officer, Muzaffarpur.
 4. District Programme Officer, Muzaffarpur.
 5. District Superintendent of Education, Muzaffarpur.
 6. Block Education Officer, Bandara, Muzaffarpur.
 7. Head Master, Primary Girls School Rampur Dayal, Bandara,
Muzaffarpur. Respondent/s
- =====

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate
Mrs. Bela Singh, Advocate

For the Respondent/s : Mr. Pramod Kumar Singh, AC to SC-16

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 16-02-2018 Heard learned counsel for the petitioner and State.

The grievance of the petitioner in the writ application
is denial of Assured Career Progression (ACP) and MACP

Learned counsel for the petitioner submits that the
petitioner has worked for nearly 33 years and in terms of the ACP
and MACP Rules, he is entitled to grant of ACP and MACP, since
the petitioner has superannuated without getting ACP and MACP.
The respondents have not taken any decision in the matter of grant
of ACP and MACP and, as such, he submits that the respondents
are required to take final decision in the matter of ACP and
MACP.



Since the respondents have not passed any order in the matter of claim of the petitioner for grant of ACP and MACP, the writ application is disposed of with a direction to the respondent District Programme Officer (Establishment), Muzaffarpur, who shall examine the case of the petitioner in terms of the ACP and MACP Rules and pass appropriate order with regard to the claim of the petitioner for grant of ACP and MACP within a maximum period of three months from the date of receipt/production of a copy of this order.

This Court is constrained to pass this order, as there is no decision one way or the other by the respondents and even counter affidavit has not been filed in the present proceeding. The respondents to take final decision in the matter on verification of the relevant records.

It goes without saying that if the respondents admit the claim of the petitioner for grant of any benefit under the ACP and MACP Rules, they are required to pay monetary benefits arising out of such adjudication within a further period of two months from the date of decision.

(Anil Kumar Upadhyay, J)

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