

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 225 of 2019

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Bhagya Narain Singh, son of Late Brijal Singh, Resident of Village- Prasandi,
P.S. Parihar, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Social Welfare Department, Govt. of Bihar, Patna.
3. The Director, I.C.D.S., Social Welfare Department, Govt. of Bihar, Patna.
4. The Commissioner Tirhut Division, Muzaffarpur.
5. The Secretary to the Commissioner, Tirhut Division, Muzaffarpur.
6. The Regional Development Officer, Tirhut Division, Muzaffarpur.
7. The Deputy Director, Welfare, Tirhut Division, Muzaffarpur.
8. The District Program Officer, I.C.D.S., Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	M/s Arun Kr, Md Husammuddin Azad, Advocates
For the Respondent/s	:	Mr Md Raisul Haque, SC X
		Mr Md Obaidullah, AC to SC X

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 27-06-2019 Heard learned counsel for the petitioner and the respondent-State.

Petitioner has raised a claim for grant of benefits under the third Modified Assured Career Progression Scheme (for brevity, MACP). It is his submission that the claim is now pending before respondent No 3, the Director, Integrated Child Development Scheme, Social Welfare Department, Government of Bihar, Patna. He draws attention of this Court towards averments made by him in paragraphs (iv) (v) (vi) of the



representation (Annexure 7). Petitioner has specifically raised an issue that the objections, standing in the way of benefits under third MACP, can be considered only with reference to service book of the petitioner.

In the circumstances, since the claim of the petitioner has to be considered by respondent No 3, pendency of the instant writ proceedings will serve no useful purpose.

Let respondent No 3 take a final decision on the claim of the petitioner having regard to the service book of the petitioner and entries made therein.

Let the final decision be taken considering the averments made in paragraphs (iv) (v) (vi) of the representation (Annexure 7) and with reference to the service book of the petitioner.

If respondent No 3 considers it necessary, he would allow the petitioner to explain the circumstances by appearing before him on a particular date.

Writ petition is disposed of with the aforesaid directions.

Let final decision be taken and dues, if found admissible, be paid to the petitioner within a period of three months from the date of receipt/production of a copy of this



order.

(Madhuresh Prasad, J)

M.E.H./-

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