

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1766 of 2016

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Dhananjai Jha S/o Late Baldeo Jha Resident of Village Gobindpur, P.S-
Partapganj, District- Supaul, presently residing at Flat No. 203, Veena Shri
Apartment, New Punaichak, Patna-23.

... .. Petitioner/s

Versus

1. The State Of Bihar through The Principal Secretary, Water Resources
Department, Bihar, Patna
2. The Principal Secretary, Water Resources Department, Bihar, Patna.
3. The Engineer-in-Chief Madhya Water Resources Department, Patna.
4. The Chief Engineer Mechanical Water Resources Department, Patna.
5. The Joint Secretary to Govt. Management Water Resources Department,
Bihar, Patna.
6. The Joint Secretary to Government, General Administration Department,
Govt. of Bihar, Patna.
7. The Joint Secretary, Department of Finance, Government of Bihar, Patna.
8. The Accountant General, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Tara Nath Jha
For the Respondent/s : Mr.Gp12

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 17-01-2019 Heard learned Counsel for the petitioner and the

learned Counsel for the respondent State.

The petitioner has approached this Court for issuance
of direction upon the respondents to grant financial benefits of
Modified Assured Career Progression Scheme to the petitioner.

In the counter affidavit the State has resisted the claim
of the petitioner. It has been brought on record that his claim of
MACP was considered in the meeting of Screening Committee
on 17.3.2016. The petitioner was below the required benchmark
as required under the MACP Scheme. It is submitted that



requirement was of a benchmark of “*very good*” for 36 months out of 60 months. Since the petitioner did not fulfill the said benchmark his claim was not found worthy of grant of MACP.

Counsel for the petitioner submits that in view of Annexure 8 to the rejoinder i.e. resolution dated 5.5.2016 of the Finance Department such requirement cannot stand in the way of grant of benefits of MACP to the petitioner.

On going through resolution dated 5.5.2016 this Court does not find any exemption being granted by the same. The requirement of the benchmark to be “*very good*” has not in any manner been diluted by Annexure 8 i.e. Finance Department resolution dated 5.5.2016.

In view of the aforesaid position this Court does not find any reason to interfere with the decision of the Departmental Screening Committee dated 17.3.2016 (Annexure ‘A’) to the writ petition.

The writ petition stands disposed of.

(Madhuresh Prasad, J)

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