

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No. 2960 of 2018

Arising out of

Civil Writ Jurisdiction Case No. 435 of 2016

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Shivjee Yadav, Son of Late Banarsi Yadav, Resident of Village - Vishunpura
Khurd, P.O. Safri, P.S. Ekma, District - Chapra (Saran).

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Panchayat Raj Department, Government of Bihar, Patna namely Sri Amrit Lal Meena.
2. Sri Subat Kumar Sen, the District Magistrate/Collector, Chapra (Saran), Bihar.
3. Sri Narendra Mohan Jha, the District Panchayat Raj Officer, Chapra (Saran), Bihar.
4. Sri Amaresh Kumar, the B.D.O. Marhaura, Saran, Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : None

For the State : Mr. Ravindra Kumar, AC to AAG 6

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 21-11-2019

Nobody appears on behalf of the petitioner. Learned AC
to AAG 6 for the State has assisted the Court.

2. In terms of order dated 13.11.2019, supplementary
show cause has been filed on behalf of the authorities. From the
same it transpires that much prior to the date on which MACP
would have been due to the petitioner, he had already been charge
sheeted in a criminal case. Thus, learned counsel for the State
submitted that such consideration had to be kept in abeyance as



the relevant Rules do not permit grant of MACP if there is a criminal case pending against the person concerned.

3. Having regard to the aforesaid, the Court finds that the order dated 29.03.2018 passed in CWJC No. 435 of 2016, has been complied with.

4. In view thereof, the application stands disposed off.

(Ahsanuddin Amanullah, J.)

P. Kumar

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