

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12643 of 2019

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Lal Mohan Prajapati Son of Sri Sita Ram Pandit, Resident of Village-
Beldarichak, P.S.- Parsa Bazar, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Road Construction Department, Bihar, Patna.
3. The Deputy Secretary (Management Cell), Road Construction Department,
Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Prabhu Nath Pathak, Advocate
For the Respondent/s	:	Mr. Uday Shankar Sharan Singh (GP 19)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 27-06-2019

Heard the learned counsel for the parties.

2. The petitioner has sought a direction to the respondent authorities for grant of 2nd MACP in the grade pay of Rs. 7600/- with effect from 01.01.2009 as the petitioner has completed 20 years of service. It has been specifically stated by the petitioner that no departmental proceeding or criminal case is pending against him and as such there is no impediment in grant of 2nd MACP to the petitioner.

3. The petitioner began his service as Assistant Engineer in the year 1987 in the Road Construction



Department, Government of Bihar. The MACP scheme came into force with effect from 01.01.2009. The petitioner has been paid the 1st ACP under the ACP rules of 2003 on completion of twelve years of service with effect from 09.08.1999. It has been submitted that the petitioner is entitled for the 2nd MACP considering the length/period of service which he has rendered in the department. The benefit of 2nd MACP has been withheld from him without any reason whereas the same has been granted to other functionaries of the department.

4. The representation of the petitioner before the Principal Secretary, Road Construction Department, Government of Bihar, Patna has gone completely unanswered/unattended.

5. This Court therefore directs the petitioner to make a fresh representation before the Principal Secretary, Road Construction Department, Government of Bihar, Patna (respondent no. 2) detailing his grievances, within a period of four weeks from today, who, on receipt of the



same shall dispose of such representation within a further period of eight weeks thereafter by a reasoned order in accordance with law.

6. With the aforesaid direction/observation, the writ petition is disposed of.

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	01.07.2019
Transmission Date	

