

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15293 of 2019

-
-
1. Md. Sohail Ahmad Ansari Son of Late Md. Dastagir Ansari Resident of Mohallah- Benta, Bari Masjid, P.O.- D.M.C., P.S.- Laheriasarai, District- Darbhanga.
 2. Nasim Akhtar Son of Late Wajid Alam Resident of Village and P.O.- Belhowri, P.S.- Dulhin Bazar, District- Patna.
 3. Shushila Kumari Daughter of Ramjag Ram Residing at Ashok Nagar, Road No.4, P.O.- Lohiya Nagar, P.S.- Kankerbagh, Town and District- Patna.
 4. Kumari Kiran Mishra Daughter of Late Jaleshwar Nath Mishra Resident of Village and P.O.- Salha, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Bihar, Patna.
2. The Director (Primary Education), Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Tewari
For the Respondent/s : Mrs. Shilpa Singh (GA-12)

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 31-07-2019 The petitioners, four in number of the Bihar Subordinate Education Service, one of whom viz. petitioner No. 4, has been promoted to the cadre of Bihar Education Service Group-II, have approached this Court for a direction to the concerned respondent for making available to them the benefits of first ACP and second MACP to which they are entitled.

It has been submitted by the learned advocate



for the petitioners that necessary documents in proof of their entitlement for the first ACP and second MACP were asked for, which have already been forwarded to the Director (Primary Education), Bihar, Patna (respondent No. 2) but till date, no decision has been taken for making payment of aforesaid dues of the petitioners.

The learned advocate for the petitioners submits that all the necessary documents are available before the Director (Primary Education), Bihar, Patna to take a decision with respect to the entitlement of the petitioner. There is no reason, it has been argued, why the payments have not been made as yet.

The petitioners, under the aforesaid circumstances, are directed to make a fresh representation before the Director (Primary Education), Bihar, Patna (respondent No. 2) within a period of four weeks from today, who, on receipt of such representation, shall, after verifying the facts and



ascertaining the entitlement of the petitioners to receive the aforesaid financial benefits, pass a reasoned order in accordance with law within a further period of six weeks thereafter. It need not be reiterated that if the claim of the petitioners is found to be tenable, necessary orders shall be passed forthwith within the aforesaid period without any delay. It would also be open for the petitioners to claim interest on the delayed payment which aspect also shall be considered by the respondent No. 2 at the time of passing the order.

With the aforesaid observation/direction, the writ petition stands disposed off.

(Ashutosh Kumar, J)

Shageer/-

U			
---	--	--	--

