

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1366 of 2018

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1. Vidhu Managal Singh son of Sri Fakir Chand Singh, Resident of Village- Kurmuri, P.S.- Sikrahata, District- Bhojpur.
 2. Trilochan Kaur, D/o Late Awatar Singh, Resident of Village- Badarghat, P.S.- Alamganj, Guljarbagh, District- Patna.
 3. Kapildev Prasad Singh, S/o Late Hiralal Prasad Verma, Resident of Village- Mandil, P.S.- Parasbigaha, District- Jehanabad.
 4. Arun Kumar, S/o Late Badrinarayan Singh, Resident of village- Ankorh, P.S.- Khudwan, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Director, Secondary Education, Government of Bihar, Patna.
4. The Principal Secretary, Department of Finance, Government of Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Satyam Shivam Sundaram
For the State : Mr.Kameshwar Kumar, GP-17

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 04-02-2019 The present writ petition has been filed for grant of 1st A.C.P./M.A.C.P. with effect from the due date to the petitioners who were appointed and working on the post of Laboratory Assistant in Government +2 Schools.

The basic objection of the State Government who are respondents herein, was that since the pay-scales of the petitioners and similarly situated persons have not been decided, the case of the petitioners for grant of A.C.P./M.A.C.P. cannot be considered.

However, now it has been pointed out by the learned counsel appearing for the parties that a coordinate Bench of this Court by a judgment dated 09.10.2018 passed in CWJC No. 11995 of 2016 (The Bihar State +2 Vocational Teachers Association & Anr. vs. The State of Bihar & Ors.), has already



decided the issue regarding grant of pay-scales/pay-revision to the Lab Assistants in the 10+2 Schools.

I have considered the submissions made by the learned counsel for the parties and I find that since the issue with regard to pay-scales/pay-revision of the petitioners herein and others has already been adjudicated by this Court, there is no impediment in deciding the admissibility/grant of 1st A.C.P./M.A.C.P. to the petitioners.

For the reasons mentioned herein above, the present writ petition is disposed off with a direction to the respondent no. 3, the Director, Secondary Education, Government of Bihar, Patna to decide the case of the petitioners for grant of 1st A.C.P./M.A.C.P. with effect from respective dates within a period of 12 weeks from the date of receipt/production of a certified copy of the present order.

It is needless to state that in case the respondent no. 3 finds favour with the claim of the petitioners, the consequential benefits would be paid within a period of eight weeks thereafter.

(Mohit Kumar Shah, J)

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