

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20360 of 2018

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Shambhu Kumar Son of Late Seetal Kumar, resident of Village and Post Office- Dilawarpur, Police station- Kesaria, Block- Kalyanpur, District- East Champaran at Motihari.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Panchayati Raj, Government of Bihar, Patna.
2. The District Magistrate, East Champaran at Motihari.
3. The District Panchayat Officer East Champaran at Motihari.
4. The District Accounts Officer East Champaran at Motihari.
5. The Block Development Officer Chakiya, District- East Champaran at Motihari.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Roy, Adv.
For the Respondent/s : Mr. Mritunjay Kumar, AC to AAG6

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL JUDGMENT

Date : 22-05-2019

Heard learned counsel for the parties.

In this case, the petitioner is seeking following relief:-

“1. That this is an application for issuance of an appropriate order or direction to the respondents District Magistrate East Champaran at Motihari for grant of benefit of 1st ACP to the petitioner on completion of 12 years of service with effect from 14.02.2004 in the pay scale of Rs. 5000-8000/- (now revised Pay Band 9300-34800 with Grade Pay 4200/- since 1.4.2007) and the 2nd MACP after completion of 20 years of service with effect from 14.2.2012 in Grade Pay of Rs. 4600/- with entire arrears of salary the same was earlier not granted showing in the service book showing some there is a



break since those dates were not certified by the Controlling Officer, BDO so his matter was not placed before the Screening Committee but now those dates which were shown not to be certified has now been certified since those dates were converted in to earn leave but in spite of that the benefit of ACP and MACP has not been given and petitioner is going to superannuate in January 2019 serving about 27 years on the post of Panchayat Secretary.”

In paragraph no.7 of the counter affidavit filed by the respondent nos. 2 to 5, it has been stated that the relief, which has been sought in the present case in paragraph no.1, is under consideration.

In that view of the matter, this writ application is disposed of with a direction to the State Government to take a decision expeditiously preferably within a period of 13 weeks from the date of receipt/production of a copy of this order.

(Shivaji Pandey, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	23.05.2019
Transmission Date	

