

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6485 of 2020

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Awadhesh Mahto, Son of Sukhalal Mahto, Resident of Village- Susta
Madhopur, P.S.- Susta, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Public Health Engineering Department, Government of Bihar, Patna.
2. The Engineer -in- Chief-cum- Special Secretary, Public Health Engineering Department, Govt. of Bihar, Patna.
3. The Chief Engineer (Mechanical), Public Health Engineering Department, Bihar, Patna.
4. The Superintending Engineer, Public Health Engineering Department, Mechanical Circle, Muzaffarpur.
5. The Executive Engineer, Public Health Engineering Department, Mechanical Division, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate
For the Respondent/s : Mr. S. Raza Ahmad (AAG-5)

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 17-12-2021

Heard learned counsel for the parties.

2. In the instant writ petition, the petitioner has prayed
for the following reliefs:

“That, the present application is for issuance of a writ in the nature of writ of Mandamus directing and commanding upon the respondents to grant the benefit of 3rd Modified Assured Career Progression w.e.f. 13.01.2018 in the light of the resolution vide memo no. 3972 dated 12.05.2016 and 7577 dated 23.09.2016 issued by the Department of Finance, Govt. of Bihar, Patna and resolution issued by Secretary, Public Health Engineering Department, Govt. of Bihar Patna vide memo no. 707 dated 22.05.2018 by which the department concerned has reconciled the issue of pay



protection to grant ACP/MACP and also make payment of arrears of City Transport Allowance since 01.01.2010 in the light of resolution vide memo no. 8043 dated 11.10.2017 to the petitioner and interest thereof. And/or pass such other order or orders, direction or directions as your lordships may deem fit and proper.”

3. In support of prayer, the petitioner had submitted representation on 09.12.2019 and it is pending consideration before the concerned respondents. Therefore, the respondent no.5 is hereby directed to examine the grievance of the petitioner whether he is entitled to 3rd MACP w.e.f. 13.01.2018 and so also pay protection and also payment of arrears of City Transport Allowances.

4. These issues shall be considered and detailed speaking and reasoned order shall be passed as to whether the petitioner is entitled to the same or not. If he is entitled to, the same shall be extended within a period of three months from the date of receipt of copy of this order.

5. The writ petition stands disposed of.

(P. B. Bajanthri, J)

uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	21.12.2021
Transmission Date	NA

