

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11907 of 2021

=====

Smt. Sarita Devi W/o Late Chandra Mohan Singh, Resident of Vill. Purechhapra, P.O. Sonoha Bhatha, P.S. Parsa and the District Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Panchayatiraj, Govt. of Bihar, Old Secretariat, Patna.
2. The District Magistrate, Saran at Chhapra.
3. The District Panchayatiraj Official Sara at Chhptra.
4. The Block Development Officer at the Office of the B.D.O. Banjapur P.O. and P.S. Baniyapur and the District Saran.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Shiv Shankar Prasad Yadav
For the Respondent/s	:	Mr. Pratik Sinha, AC to GA V
		Mr. Ajay

=====

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

Date : 16-12-2021

Heard the learned counsels for the parties.

In the instant petition, petitioner has sought for following reliefs:

1. That by way of this application, the petition seeks a direction/directions from the Hon'ble Court to all the respondents in general and the respondents no. 03 to 04 in particular to grant the 2nd M.A.C.P. to the deceased husband of the petitioner who died in harness on 20.10.2019, whereas his other retiral dues have been paid to her. Due to the non-grant of the 2nd M.A.C.P., the present petitioner, a legal heir to the claim, is aggrieved and has invoked the writ jurisdiction of this Hon'ble Court for an appropriate direction to the respondents."



3. Petitioner is wife of deceased-Chandra Mohan Singh. The grievance of the petitioner is that late Chandra Mohan Singh has not been extended second MACP. In this regard, representation has been submitted but the same has not been considered by the concerned respondent.

4. 2nd respondent is hereby directed to examine the grievance of the petitioner as to whether deceased-Chandra Mohan Singh is not entitled to 2nd MACP or not with reference to service records of the deceased -Chandra Mohan Singh and proceed to pass a speaking order.

5. If the petitioner is entitled to reliefs sought in the petition or not, speaking order shall be passed and communicated to the petitioner as to why deceased- Chandra Mohan Singh is not entitled to 2nd MACP. In the event of extending of MACP to the deceased- Chandra Mohan Singh, the same shall be calculated and necessary order shall be passed for re-fixation of pay and pension and family pension. In this regard, necessary calculation shall be drawn and arrears shall be disbursed in favour of the petitioner (wife of the deceased,late Chandra Mohan Singh). The above exercise shall be completed within a period of three months from the date of receipt of this order. If not entitled a detailed speaking



order shall be passed.

6. With the above observations, the instant petition stands disposed of.

(P. B. Bajanthri, J)

rakhi/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

