

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5964 of 2021

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Ravindra Mohan, Son of Late Birendra Mohan Resident of Mohalla- Bahadurpur Housing Colony, P.S.- Agamkuan, District- Patna.... ... Petitioner/s
Versus

1. The State of Bihar through its Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Health Department, Government of Bihar, Patna.
3. The Joint Secretary of the Government, Health Department, Government of Bihar, Patna.
4. The Drug Controller, Department of Health, Government of Bihar, Secretariat, Patna. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rashid Izhar, Advocate
For the Respondent/s : Mr. Lalit Kishore (AG)

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

Date : 07-02-2022

This matter is heard *via* video conferencing due to circumstances prevailing on account of the COVID-19 Pandemic.

In the instant petition, petitioner has prayed for the following relief(s):-

“(I) For issuance of a writ or writs in the nature of Mandamus Commanding the Respondents to calculate the service of the Petitioner since 22.05.2000 for promoting the Petitioner under MACP Scheme since when the other candidates of BPSC Advertisement No. 29/97 joined the service and the matter of the Petitioner was kept pending for no fault of the Petitioner and the Petitioner cannot be ranked junior to the appointee candidates of BPSC Advertisement No. 2/2000.

(ii) For issuance of writ or writs in the nature of Mandamus commanding the Respondents to immediately give Modified Assured Career Pro-



gression to the Petitioner in terms of the entitlement and pay the salary and benefits in terms of the time bound promotion under MACP Scheme.

(iii) For issuance of writ or writs in the nature of Mandamus commanding the Respondents to pay the enhanced salary under MACP Scheme alongwith the arrear calculating interest thereupon since the entitlement of the petitioner in the said scheme of MACP.

(iv) For issuance of such other order or orders as your Lordships may deem fit and proper.”

Short question for consideration in the present petition is whether the petitioner is entitled to MACP w.e.f. 10.06.2014 or 22.05.2020?

The official respondent has passed an order in extending the benefit of MACP w.e.f. 22.05.2020. In this backdrop, the petitioner is seeking the date of MACP to be 10.06.2014 instead of 22.05.2020 in respect of 10.06.2014. In the absence of challenge to the order dated 22.05.2020 and seeking direction to fix the date of MACP on 10.06.2014 petitioner is not entitled to the above relief. Accordingly, writ petition stands dismissed.

(P. B. Bajanthri, J)

Vikash/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	
Transmission Date	N/A

