

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9517 of 2021

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Anuj Kumar Sharma Son of Nunu Sharma @ Shyam Bihari Singh Resident of village- Pahleja, Post- Jaipur Dist.- Arwal and present address 20 MACTI Sadan, Indrapuri Road No. 12, Ratun Road, P.s.- Sukhdeo Nagar Hill, Ranchi, Jharkhand

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Old Secretariat, Patna
2. The Principal Secretary, Personal and Administrative Reform Department, Government of Bihar, Old Secretariat, Patna
3. The Labour Resources Department, Government of Bihar, New Secretariat, Patna
4. The Principal Secretary, Finance Department, Government of Bihar, having his office Old Secretariat, Bihar, Patna
5. The Commissioner, Labour Resources Department, Government of Bihar, having his office New Secretariat, Patna
6. The joint Commissioner, Labour Resources Department, Government of Bihar, having his office New Secretariat, Patna
7. The Deputy Secretary, Labour Resources Department, Government of Bihar, having his office New Secretariat, Patna
8. The Deputy Secretary, Personal and Administrative Reform Department, Government of Bihar, having his office New Secretariat, Patna
9. The Deputy Secretary, Finance Department, Government of Bihar, having his office Old Secretariat, Patna
10. The Labour Superintendent (Shram Adhikshak), Nalanda

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh
For the Respondent/s : Mr. Anuradha Singh (Sc21)

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

Date : 18-02-2022

The matter is heard via video conferencing due to circumstances prevailing on account of the COVID-19 pandemic.

2. State Counsel accept notice for respondents.



Petitioner's counsel to serve copy of the petition to the State counsel.

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

“i) For issuance of Writ/Writs Order/orders Direction/Directions in the nature of mandamus commanding the respondents to immediately grant 2nd and 3rd A.C.P./ M.A.C.P. / M.A.C.P./ M.A.C.P. Scheme (Assured Arrear Progression) and also to pay 6th Revised Pay Difference Amount which has not been paid by the respondents till today.

ii) For further direction upon the respondents to immediately grant and pay the 2nd and 3rd A.C.P./ M.A.C.P. with Interest 18% per annum.

iii) For further any other relief/reliefs, order/orders direction/directions may deem fit and proper in the fact and circumstances of this case.”

4. Short question for consideration in the present petition is whether petitioner is entitled to 2nd ACP and 3rd MACP and consequential benefits or not? In this regard, petitioner has submitted representations, vide Annexure- 1, 2, 3, 4A and 5 respectively.

5. In the light of these facts and circumstances, the concerned respondent is hereby directed to examine the service particulars of the petitioner read with ACP and MACP Rules so as to find out whether petitioner is entitled to 2nd ACP and 3rd MACP or not. If he is entitled, necessary order shall be passed including monetary benefits. If he is not entitled in that event, a detailed speaking order shall be passed as to why petitioner is not entitled for 2nd ACP and 3rd MACP. The above exercise shall



be completed within a period of four months from the date of receipt of this order and communicate the decision to the petitioner.

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

(P. B. Bajanthri, J)

rakhi/-

AFR/NAFR	
CAV DATE	
Uploading Date	02.03.2022
Transmission Date	

