

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7089 of 2021

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Surendra Singh, Son of Late Lakshman Singh, Resident of Village-Jhauvan,
P.O.-Jhauvan, Via-Naraon and the District-Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Home Secretary, Govt. of Bihar, Old Secretariat, Patna.
2. The Deputy Inspector General of Police at Munger and the District-Munger.
3. The Superintendent of Police, Jamui and the District-Jamui.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. S.S.P. Yadav
For the Respondent/s : Mr.Lalit Kishore (Ag)

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

Date : 09-02-2022

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.

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

“1) That through the present writ application, the petitioner seeks a direction/directions from the Hon’ble Court to the respondent No. 03 in particular for granting the 3rd M.A.C.P. and its pay scale (Rs. 9300-34800) Grade pay Rs. 5400/- and in pursuance thereof re-fixing of all the retiral benefits like pension and gratuity w.e.f. from 01.01.2009 to which the petitioner is admittedly entitled as per the rules. Due to the non-payments of the same, the petitioner has got aggrieved, and has preferred the present application to this Hon’ble Court.”



4. Short question for consideration in the present petition is whether petitioner is entitled to 3rd M.A.C.P. and its pay-scale (Rs. 9300-34800) Grade pay Rs. 5400/- and thereafter consequential benefits including re-fixation of pay and pension and gratuity w.e.f. 01.01.2009 or not? In this regard, petitioner has submitted representation on 02.01.2021 and 17.01.2021 (Annexure- 2 series (A) & (B)).

5. Therefore concerned respondent is hereby directed to examine the grievance of the petitioner with reference to service records read with the relevant provisions. If petitioner is entitled, 3rd MACP along with arrears of pay and other consequential benefits shall be granted to him. If petitioner is not entitled for 3rd MACP and other monetary benefits, in that regard, speaking order shall be passed and communicated to the petitioner. The above exercise shall be completed within a period of three months from the date of receipt of this order.

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

(P. B. Bajanthri, J)

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CAV DATE	
Uploading Date	
Transmission Date	

