

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9236 of 2021

Shrawan Kumar Singh Son of Late Khelawan Singh, Resident of Village - Ohari, Police Station- Roh, District - Nawadah, retired Karamchari, Block - Meskaur, District - Nawadah.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reform, Government of Bihar, Patna.
2. The Divisional Commissioner, Magadh Division, Gaya.
3. The District Magistrate, Nawadah.
4. The Deputy Collector, Establishment, Nawadah.
5. The Circle Officer, Meskaur, District - Nawadah.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Arun Kumar
For the Respondent/s	:	Mr. Lalit Kishore (AG) Mr. Saurabh Kumar

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

ORAL JUDGMENT

Date : 16-02-2022

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

Learned counsel for the State accepts notice for the respondent nos. 1 to 5.

Learned counsel for the petitioner is hereby directed to serve copy of the petition, if it is not already served.

In the instant petition, petitioner has prayed for the following relief/reliefs:

*“For issuance of appropriate
order/direction/writ in the nature of
mandamus commanding and directing
upon the respondents concerned*



specially respondent-District Magistrate, Nawadah (Respondent No.3) to consider the claim of petitioner for grant of 2nd and 3rd M.A.C.P. (Modified Assured Career Progression) after completion of 20 and 30 years of service as petitioner after serving about 32 years of service on 31.01.2019 on lower pay scale causing much financial loss in his post retiral benefits and pension for which petitioner represented his claim on several occasion before respondent authorities including respondent no.3 which is still pending as also pay the consequential monetary benefits accrued after grant of due 2nd and 3rd M.A.C.P. Any other order/orders for granting any other order/orders for granting any other relief/reliefs for which the petitioner is found entitled to in the facts and circumstances of



the case.”

The aforesaid relief is supported by representation dated 05.02.2021. The concerned respondent is hereby directed to examine the petitioners claim relating to entitlement of 2nd and 3rd MACP. If he is otherwise eligible, necessary order shall be passed including monetary benefits. The petitioner is entitled to interest on belated settlement of arrears of amount three years prior to filing of the present petition at the rate of 6% per annum till payment is made. If the petitioner is otherwise not eligible for 2nd and 3rd MACP, in that event, necessary speaking order shall be passed as to why the petitioner is not entitled in terms of the service particulars of the petitioner read with relevant rules of MACP. The above exercise shall be completed within a period of four months from the date of receipt of this order.

With the above observation, writ petition stands disposed of.

(P. B. Bajanthri, J)

Ankit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	23.02.2022
Transmission Date	NA

