

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10262 of 2020

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Ramesh Prasad Singh son of Late Ram Dahin Singh Resident of Mohalla-Indrapuri, Road No. 8, House No. 19, P.O. Keshrinagar, P.S. Patliputra, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Road Construction Department, Government of Bihar, Vishweshwaraiya Bhawan, Bailey Road, Patna.
2. The Principal Secretary, Road Construction Department, Government of Bihar, Vishweshwaraiya Bhawan, Bailey Road, Patna.
3. The Additional Secretary, Road Construction Department, Government of Bihar, Vishweshwaraiya Bhawan, Bailey Road, Patna.
4. The Executive Engineer, Local Area Engineering Organisation, Work Division- 1, Motihari, District- East Champaran (Motihari).
5. The Accountant General (A and G), Bihar, Birchand Patel Road, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Narendra Kumar Singh
For the Respondent/s : Mr.Lalit Kishore (Ag)

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

Date : 10-01-2022

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

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

“1. For direction to the respondent authorities to grant 3rd financial progression in higher pay scale under the provisions of Bihar State Employees Condition of Service Modified Assured Career Progression Scheme 2010 (in short The M.A.C.P.) w.e.f. 14.06.2010 as the petitioner completed 30 years of service on 14-06-2020 but the M.A.C.P. has not been granted even after three years of retirement.



II. For direction to the respondent authorities to pay the difference of the amount under the heading of pension as well as salary on account of grant of M.A.C.P. w.e.f. 14-06-2010.
III. For grant such other relief(s) for which the petitioner is found to be entitled in the facts and circumstances of the case.”

3. Short question for consideration in the present petition is whether petitioner is entitled for 3rd M.A.C.P. pursuant to his representation dated 19.08.2019 before the 3rd Respondent or not? The 3rd Respondent has not acted on the petitioner’s representation. Accordingly, the 3rd Respondent is hereby directed to consider and dispose of the petitioner’s representation in passing a speaking order. If the petitioner is entitled to 3rd M.A.C.P. as claimed by him, the same shall be extended including monetary benefits within a period of two months from the date of receipt of this order otherwise pass speaking order as to why petitioner is not entitle and the same shall be communicated to the petitioner.

4. With the above observation, writ petition stands disposed off.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	14.01.2022
Transmission Date	

