

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10561 of 2020

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Kanhai Lal Yadav Son of Late Ganauri Yadav Resident of Mohalla-
Bakarganj, Muharrumpur, Natraj Gali, Behind SBBJ, P.o.- Bankipur, P.s.-
Pirbahore, Pin-800004, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar the Principal Secretary, Finance Department, Government of Bihar, Old Secretariat, Bailey Road, Patna
2. The Registrar General Patna High Court, Patna
3. The District and Sessions Judge, Civil Court, Jehanabad, P.s.- Jehanabad, District- Jehanabad
4. The Judge-in-Charge, Civil Court, Jehanabad, P.s.- Jehanabad, District- Jehanabad
5. The Accountant General Bihar, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh
For the Respondent/s : Ms. Kumari Amrita, GP-3

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

Date : 11-01-2022

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
following reliefs:

“1 That, through the petition, the
writ petitioner by invoking a writ jurisdiction
of this Hon’ble Court under Article 226 of
the Constitution of India seeks the following
Reliefs:-

For issuance of writ of
mandamus directing the Respondent No. 3 to
examine the entitlements of the petitioner for
P.B. 3-5400/- in Third Financial Progression
in the light of Law Department Letter bearing
No. 3153, dated 10.04.2018 from the earlier
granted benefits of 3rd MACP Pay Scale of
P.B.-Rs. 9300/- Rs. 34800/- with Grade Pay
Rs. 4800/- affected from 12.5.2011 with



consequential benefits from 1.7.2011 itself.”

3. Short question for consideration in the present petition is whether petitioner is entitled to 3rd MACP Pay Scale of P.B. Rs. 9300/- to Rs. 34800/- with Grade Pay Rs. 45400/- w.e.f. 12.05.2011 and further consequential benefits or not? In this regard, petitioner is stated to have submitted representation vide Annexure-3 dated 26.05.2018.

4. Therefore 3rd respondent is hereby directed to examine the grievance of the petitioner with reference to service records read with the relevant provisions. If petitioner is otherwise eligible, 3rd MACP shall be granted along with arrears of pay. If the petitioner is not entitled for 3rd MACP for any other reason, 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.

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

(P. B. Bajanthri, J)

rakhi/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

