

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.3459 of 2021**

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Seraj Uddin Son of Late Salim Uddin Resident of New Karimganj Road No.-  
14 Near Almnar Masjid, P.S.- Gaya Sadar (Koltwali), District- Gaya, Bihar-  
823001.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Home Department,  
Govt. of Bihar, Patna.
2. The Screening Committee Police head quarter Bihar Patna Through  
Inspector General of Police (Head quarter) Bihar, Patna.
3. The Inspector General of Police (Head quarter) Bihar, Patna.
4. The Deputy Inspector General of Police (Head quarter) Bihar, Patna.
5. The Senior Superintendent of Police Gaya, District- Gaya.
6. The Accountant General Bihar, Patna.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s :  
For the Respondent/s : Mr. Sheo Shankar Prasad, SC 8

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**CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI**  
**ORAL JUDGMENT**  
**Date : 24-03-2022**

None appears for the petitioner.

2. Even though matter was listed on 29.01.2022 and  
14.02.2022 but at the request of learned counsel for the petitioner  
matter was adjourned.

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

“(i) For direction to respondents authority to  
Shift back the date of Third Modified Assured Career



Progression / 3<sup>rd</sup> M.A.C.P/Promotion to the petitioner (which has been approved vide memo No. 148 dated 4.12.2019) w.e.f. 31.3.2017 to 03.02.2016 the due date, with all other consequential monetary benefits.

(ii) And for any other relief, reliefs for which petitioner may be found entitled.”

4. In support of the aforesaid relief petitioner is stated to have submitted representation followed by reminder to the concerned authority. There is inaction on the part of the respondent in either accepting or rejecting the petitioner’s claim.

5. Short question for consideration in the present petition is whether the petitioner is entitled to 3<sup>rd</sup> M.A.C.P with effect from 03.02.2016 instead of 31.03.2017 or not? No doubt petitioner was extended 3<sup>rd</sup> M.A.C.P. on 04.12.2019 with effect from 31.03.2017. However, petitioner has disputed that he is entitled to 3<sup>rd</sup> M.A.C.P. with effect from 03.02.2016. In this regard, the concerned authority is hereby directed to take note of petitioner’s service particulars read with the criteria laid down for the purpose of extending 3<sup>rd</sup> M.A.C.P. and proceed to pass speaking order either in accepting or rejecting the petitioner’s claim. If the petitioner’s claim is accepted for 3<sup>rd</sup> M.A.C.P. with effect from 03.02.2016, in that event, necessary difference of amount shall be calculated and disbursed in favour of the petitioner.



6. The above exercise shall be completed within a period of four months from the date of receipt of this order.
7. With the above observations, writ petition stands disposed off.

(P. B. Bajanthri, J)

GAURAV S./-

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