

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3995 of 2021

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Pramod Kumar Son of Sri Ram Narayan sahi, Resident of Ward No. 37
Janakpuri Colony near St Karens School, Gola Road, Police Station-Danapur,
District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Food and Consumer Protection Department, Old Secretary, Food and Consumer Protection Department, Old Secretariat, Government of Bihar, Patna.
2. The Principal Secretary, Food and Consumer Protection Department, Old Secretariat, Government of Bihar, Patna.
3. The District Magistrate, East Champaran, Motihari.
4. The Sub Divisional Officer Areraj, East Champaran. Motihari.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Singh
For the Respondent/s : Mr. Arvind Ujjwal, SC 4

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

Date : 31-01-2022

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

2. State counsel accepts notice for respondents.

3. Counsel for the petitioner is hereby directed to furnish
hard copy of the writ petition to the counsel for the
State/respondents.

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

“That the petitioner in the instant writ application
prays for a direction to the Respondent authority to grant the
benefits of 2nd ACP/MACP along with consequential benefits



as the Petitioner fulfills the eligibility criteria of 2nd ACP/MACP after completion of 24 years of his service from the date of his appointment i.e. 16.05.1989 and the Food Consumer Protection Department, Government of Bihar Patna had granted similar benefits of 2nd ACP/MACP to the similarly situated Marketing Officers and the Respondent authority had made discrimination with the Petitioner with is violative of Bihar State Litigation Policy as well as the judgment passed in case of 2008 (4) PLJR 125 and 2011 (3) PLJR 588 & ((2006) 2 SCC 747) by the Hon’ble Courts and the Petitioner further prays for a direction to the Respondent authority to revise post retiral benefits including the pension of the Petitioner after grant of benefits of 2nd MACP and to pay all the consequential benefits.”

5. Learned counsel for the petitioner on instruction submitted that during pendency of the present petition the petitioner has been extended benefit of 2nd M.A.C.P. . However, he has not been extended monetary benefits, therefore, the concerned respondent is hereby directed to extend monetary benefits within a period of three months from the date of receipt of this order, failing which, the petitioner is entitled to litigation cost and it is quantified @ of Rs. 25,000/-.

Accordingly, writ petition stands disposed off.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

