

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19211 of 2021

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Dilip Kumar Sinha Son of Late Kameshwar Prasad Sinha Resident of
Mohalla - Shashtri Nagar, Post Office - Ramna, Police Station - Mithanpura,
District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Chief Principal Secretary, Home
Department, Government of Bihar, Old Secretariat, Patna.
2. Director General of Police, Bihar, Patna.
3. Inspector General of Police, Muzaffarpur Range, Muzaffarpur.
4. Deputy Inspector General of Police, Tirhut Range, Muzaffarpur.
5. Senior Superintendent of Police, Muzaffarpur.
6. Superintendent of Police, Muzaffarpur.
7. Accountant General, Bihar, Beerchand Patel Path, R- Block, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjeet Kumar, Advocate
For the Respondent/s	:	Mr. P. K. Verma, AAG 3
		Mr. Suman Kr. Jha, Advocate

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

Date : 25-03-2022

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:

“That the present writ application is being
filed for direction upon the respondents to grant the
actual benefit of first and second A.C.P. to the
petitioner, and appropriate fixation of the same in
appropriate scale, and payment of difference of Arrears
of salary, which has not been paid to the petitioner,
notwithstanding the fact that appropriate order in this



connection, granting the benefits of first and second A.C.P., has already issued, and same is still in force but actual benefits has not been paid.

That the petitioner further prays for direction upon the concern respondents to grant the benefits of Third M.A.C.P. to the petitioner which is also due in view of the facts that the petitioner has been granted order of third M.A.C.P after completion of 30 years of service and the petitioner also prays for to revise his all consequential and other post retiral benefits after the grant of aforesaid admissible benefits to the petitioner including payment of Arrears of salary/pension etc, and other lawful due, for which petitioner is legally entitled, as this Hon'ble Court may deem fit and proper.”

3. Grievance of the petitioner is whether he is entitled for 1st and 2nd A.C.P and 3rd M.A.C.P and further difference of arrears of payment or not? In this regard the petitioner submitted representation to the concerned authority – respondent on 17.09.2021. Till date the concerned authority has not taken action either in accepting or rejecting the petitioner's claim.

4. Accordingly, the concerned respondent is hereby directed to act on the petitioner's representation, service particulars of the petitioner read with A.C.P. / M.A.C.P relevant criteria. If the petitioner is otherwise eligible, in that event, necessary order shall be passed and re-fixation of pay, pension with monetary benefits shall be extended after due calculation. If



the petitioner is otherwise not eligible for the aforesaid relief, in that event, necessary speaking order shall be passed as to why the petitioner is not entitled to the relief sought in his representation relating to 1st and 2nd A.C.P. and 3rd M.A.C.P.

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

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	29.03.2022
Transmission Date	

