

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.984 of 2023

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Jag Narayan Ojha, Son of Dharmraj Ojha, Resident of Baudha Bhojpur
Chaurasta, Bihiya, P.S. - Bihiya, District - Bhojpur (Arrah), Bihar - 802154.

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Home Secretary, Govt. of Bihar, Patna.
3. The D.G.cum-I.G. of Police, Bihar, Patna.
4. The D.I.G. of Police Rail, Bihar, Patna.
5. The Rail S.P., Patna.

... .. Respondents

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Appearance :

For the Petitioner	:	Mr.Ram Hriday Prasad, Advocate Ms. Maruti Kumari, Advocate
For the State	:	Mr.Md. Nadim Seraj (GP 5) Mr. Dhurendra Kumar, AC to GP-5

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 24-04-2023 The petitioner in the present case is seeking a direction to the respondents to grant him the benefit of 3rd Modified Assured Career Progression (MACP) from the due date.

2. Learned counsel for the petitioner submits that the petitioner was appointed as Constable in 1981 and he retired from Rail Patna in October 2021. It is his submission that he has filed representations on 21.06.2022 and 27.06.2022 before the DIG, Rail, Bihar, Patna for grant of his MACP but the said representation has not held any significant result.

3. A counter affidavit has been filed on behalf of the



State respondents. In paragraph '6 to 8' some relevant informations have been furnished. It is stated that petitioner was dismissed thrice in service but on all the three occasions, he was reinstated. It is stated that the petitioner has not passed the Hindi examination. The counter affidavit states that the decision with regard to the MACP is pending.

4. Mr. Nadim Seraj, learned G.P.-5 representing the State submits that an appropriate decision shall be taken as regards payability of the MACP to the petitioner within a period of three months from today.

5. In the aforesaid view of the matter, this writ application is being disposed of with a direction to the respondents to consider the case of the petitioner for grant of 3rd MACP and take an appropriate decision thereon within a period of three months from today. In case, the petitioner is found entitled for the benefits, the same shall be made available to him within another two months.

6. This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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