

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4549 of 2022

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Arvind Prasad Son of Sri Yadu Nandan Prasad, R/o Village and Post -
Makanpur, P.S. - Warisaliganj, District - Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Road Construction Department,
Government of Bihar, Patna.
3. The Engineer-in-Chief, Road Construction Department, Govt. of Bihar.
4. The Superintending Engineer, NH Circle, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Krishna Kant Singh, Advocate
For the Respondent/s	:	Mr. Gyan Prakash Ojha, GA-7
		Mr. Ajit Kumar, AC to GA-7

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-11-2023 The present writ petition has been filed
seeking the following reliefs:-

"1. (i) For issuance of a writ in the nature of Mandamus directing the concerned respondent authorities to grant the benefit of 2nd and 3rd Assured Career Progression Scheme /Modified Assured Career Progression Scheme (in short 'ACP/MACP') as well as 2nd Regular Promotion to the petitioner for which he is entitled and the concerned respondent authorities have denied the same for the reasons best known



to them.

(ii) For further issuance of an appropriate writ in the nature of Mandamus that after grant of the aforesaid ACP/MACP and promotion the petitioner be paid all the consequential benefits to which he is entitled.

(iii) For further to hold that keeping the claim of promotion of the petitioner pending on the pretext of pendency of the Departmental Proceeding is wholly illegal.

(iv) Further to hold that the entire action of the concerned respondent authorities is discriminatory in nature and not sustainable in the eye of law.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Additional Chief Secretary, Road Construction Department, Government of Bihar, Patna for redressal of his aforesaid grievances. Liberty, so sought, is granted.

3. It is needless to state that in case the petitioner approaches the Additional Chief



Secretary, Road Construction Department,
Government of Bihar, Patna, by filing appropriate
representation, within a period of four weeks from
today, the same shall be disposed off by a
reasoned and a speaking order, in accordance with
law, within a period of eight weeks, thereafter.

4. The writ petition stands disposed off on
the aforesaid terms.

(Mohit Kumar Shah, J)

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