

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4351 of 2022

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Mantoran Devi, W/o Late Rasnarayan Ray, R/o Village-Barahi Chintaman,
Post-Bokhtha, P.S.-Suppi, District-Sitamarhi, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, General Administration Department, Government of Bihar, Patna.
3. The Principal Secretary, Department of Finance, Government of Bihar, Patna.
4. The Principal Secretary, Department of Home (Police), Government of Bihar, Patna.
5. The District Magistrate, Sitamarhi, Bihar.
6. The Superintendent of Police, Sitamarhi, Bihar.
7. The Circle Officer, Suppi, Sitamarhi, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Singh, Adv.

For the Respondent/s : Mr.Md.N.H.Khan, SC-1

Ms. Babita Kumari, AC to SC-1

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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 appropriate writs, orders or directions upon the respondents to grant First Assured Career Progression (hereinafter referred to as ACP) under ACP Rules, 2003, with all its consequential financial benefits to the husband of the petitioner with effect from 30.03.2002 in the Pay Scale of Rs. 2750-70-3800-75-4400 on the



ground that the husband of the petitioner has already completed 12 years of service on 30.03.2002.

(ii). For issuance of appropriate writs, orders or directions upon the respondents to grant Second Modified Assured Career Progression (hereinafter referred to as MACP) under MACP Rules, 2010, with all its consequential financial benefits to the husband of the petitioner with effect from 30.03.2010 in the Pay Band of Rs. 5200-20200, PB-1 with Grade Pay of Rs 2000/- on the ground that the husband of the petitioner has already completed 20 years of service on 30.03.2010, and,

(iii). For issuance of appropriate writs, orders or directions upon the respondents to grant Third Modified Assured Career Progression (hereinafter referred to as MACP) under MACP Rules, 2010, with all its consequential financial benefits to the husband of the petitioner with effect from 30.03.2020 in Level 4 as stipulated in Seventh Pay Revision (Annexure-5) which is corresponding to the Pay Band of Rs. 5200-20200, PB-1 with Grade Pay of Rs 2400/ as provided in Sixth Pay Revision on the ground that the husband of the petitioner has already completed 30 years of service on 30.03.2020, and,

(iv). For commanding and directing the Respondents Authorities for payment of



consequential benefits such as difference of arrears of salary as well as pensionary benefits to the petitioner on account of grant of 1st ACP, 2nd and 3rd MACP to the husband of the petitioner with effect from 30.03.2002, 30.03.2010 and 30.03.2020, respectively for which the petitioner is entitled in accordance with law, and,

(v). Further, as per the law laid down by the Hon'ble Supreme Court in the case of Vijay L. Mehrotra Vrs. State of Uttar Pradesh and Ors., reported in (2001) 9 SCC 687, the Respondents Authorities may also be directed to grant all the consequential financial benefits to the petitioner along with interest of 18% per annum in pursuance of grant of 1st ACP, 2nd MACP and 3rd MACP to the husband of the petitioner.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the District Magistrate, Sitamarhi, for redressal of her aforesaid grievances. Liberty, so sought, is granted.

3. It is needless to state that in case the petitioner approaches the District Magistrate, Sitamarhi, 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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