

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4976 of 2022

=====

Md. Khalil @ Md. Khalil Ansari S/o Md. Rahman Ansari, R/o Village-
Nayagaon, Islampurtola, Post- Nayagaon, P.S.- Shyampur Bhatha, District-
Sheohar, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar 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, Sheohar, Bihar.
6. The Superintendent of Police, Sheohar, Bihar.
7. The Sub- Divisional Officer, Sheohar, Bihar.
8. The Circle Officer, Dumri Katsari, Sheohar, Bihar.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr.Rakesh Kumar Singh, Adv.
For the Respondent/s	:	Mr.M. Nasrul Huda Khan, SC-1
		Mr. Fazle Karim, AC to SC-1

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-11-2023 The present writ petition has been filed seeking the
following reliefs:-

“1(i). For issuance of appropriate writs, orders or directions upon the respondents whereby and whereunder the respondents may be directed to give First A.C.P or First Financial Up Gradation in pay and it's consequential financial benefits to the petitioner w.e.f 01.01.02 or with effect from such date from which the petitioner is entitled to in the Pay Scale of Rs. 2750-4400, and,



(ii) For issuance of appropriate writs, orders or directions upon the respondents to grant Second M.A.C.P. or Second Financial Up Gradation in pay and it's consequential financial benefits to the petitioner w.e.f. 01.01.10 or with effect from such date from which the petitioner is entitled to in the Pay Band of Rs 5200-20200 with Grade Pay 2000 in PB1, and

(iii). 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 and 2nd MACP to the petitioner with effect from 01.01.2002 and 01.01.2010 respectively for which the petitioner is entitled in accordance with law, and,

(iv). 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 and 2nd MACP to the husband of the petitioner,

(v). For issuance of appropriate writs, orders or directions upon the respondents to accordingly revise the monthly pension 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, Sheohar i.e. the Respondent No. 5, for redressal of his aforesaid grievances. Liberty, so sought, is granted.

3. It is needless to state that in case the petitioner approaches the Respondent No. 5, 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)

Ajay/-

U			
---	--	--	--

