

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11427 of 2015

Sripati Nath Prasad son of late Mathura Prasad resident of village-
Bishnupura, P.S. Chapra Muffasil, District - Saran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Water Resources Irrigation Department, Secretariat,
Patna.
3. The Director Land Acquisition and Rehabilitation, Water Resources
Department Irrigation Secretariat, Patna
4. The District Land Acquisition Officer, Gandak Project Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Bam Bahadur Jha, Advocate Mr. G.K. Jha, Advocate Mr. S.K. Jha, Advocate
For the Respondent/s	:	Mr.Rajesh Kumar- GP-19

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 31-08-2023 1. The present writ petition has been filed
seeking the following relief:-

“1. That this writ application is being filed for issuance of writ in the nature of Mandamus or any other writ/writs, direction/directions, commanding the respondents to extend the petitioner the benefits of ACP/MACP scheme and calculate the revised pay of the petitioner and consequently the pension of the petitioner. This application is also being filed for a direction to the respondents to release the arrears of the difference of the salary as also the difference of pension and fix the current pension of the



petitioner after extending the benefits of ACP/MACP scheme.

This writ application is also being filed for other reliefs as well.

The petitioner was initially appointed on a class-IV post and accordingly joined the service on 15.2.1980. The petitioner was appointed to a class-III post on 24.12.1988 and was posted as Junior Accounts Clerk. After enjoying various posting the petitioner was transferred to the office of the Special Land Acquisition Officer, Chapra, and thereafter to the office of the Spl. Land Acquisition Officer, Gandak Project, Muzaffarpur. The petitioner superannuated from his post w.e.f. 28.2.2015. Even though the scheme of ACP and MACP has given its effect to 1999 and 2009, still the petitioner has not been extended the benefits of the said scheme though the petitioner is entitled for the benefit of ACP/MACP w.e.f. 24.12.1998 and 24.12.2008 respectively. The respondents have miserably been failed to extend the



petitioner the benefits of ACP/MACP scheme. The petitioner has been placing his grievances before his superannuation while he was posted at Darbhanga and subsequently at Chapra but no order has yet been passed even after his superannuation the petitioner filed a representation for revision of his salary by way of granting the benefits under ACP/MACP scheme but in vain."

2. The learned counsel for the petitioner submits that the petitioner has challenged the order of punishment before this Court by filing a writ petition, hence he be granted liberty to approach the respondent authorities for grant of the benefits of ACP/MACP in case his writ petition is allowed. Liberty, so sought, is granted.

3. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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