

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6414 of 2022

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1. Amar Nath Rai son of Late Kishun Deo Rai, resident of Village- Phulwaria, Post Office and Police Station- Barauni, District- Begusarai.
 2. Madneshwar Prasad Rai Son of Late Jagdhar Rai, resident of Village- Sirdilpur, Post Office and Police Station- Patori, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Animal Husbandry and Fisheries, Government of Bihar, Patna
2. The Principal Secretary, Animal Husbandry and Fisheries Department, Government of Bihar, Patna.
3. The Director, Animal Husbandry, Government of Bihar, Patna.
4. Joint Director, Headquarter, Animal Husbandry Directorate, Patna.
5. The Secretary, Department of Finance, Government of Bihar, Patna.
6. The District Animal Husbandry Officer, Samastipur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Anil Singh, Advocate
For the State	:	Mr.Rishi Raj Sinha (Sc 19)
		Mr.Atul Shankar, AC to SC-19

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 06-12-2023 1. The present writ petition has been filed seeking the following relief(s):-

“1(i) For setting aside Memo no 3045 dated 20.9.2017 of Joint Director, HQ, Animal Husbandry, Bihar, Patna as contained in Annexure P/11 and Memo no 3723 dated 24.9.2019 issued under the signature of Joint Director, HQ, Animal Husbandry, Bihar, Patna as contained in Annexure P/12 by which it has been held that 3rd MACP is not admissible to petitioners.



(ii) For setting aside Memo no 4705 dated 24.12.2019 issued by Joint Director Headquarter, Animal Husbandry Directorate, Patna as contained in Annexure P/19 by which similar benefits given to similar situated had been denied stating that the same would not be treated as a precedent which is contrary to and in conflict with the Bihar State Litigation Policy, 2011.

(iii) For commanding the respondent authorities to grant the petitioners 1st A.C.P, 2nd ACP and 3rd MACP (Modified Assured Career Progression) treating entire service including the date of petitioners initial appointment in Bihar State Dairy Corporation Limited and further grant its consequential benefits.

(iv) For commanding the respondents to grant the benefits of MACP to the petitioners as has been granted to the persons similarly situated with consequential benefits in view of judicial pronouncement contained in Annexure P/15,P/16 and P/17 as well as Bihar State Litigation Policy 2011(Annexure P/23) being covered matters under Para 4 (A).”

2. At the outset, the learned counsel for the petitioners submits that in view of the orders, passed by the learned Division Bench of this Court and the Hon’ble Apex Court, the



petitioner be granted liberty to approach the Principal Secretary,
Department of Animal Husbandry and Fisheries, Government of
Bihar, Patna, for redressal of their aforesaid grievances. Liberty
so sought is granted.

3. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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