

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11950 of 2021

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Anwer Perwez S/o Karamat Hussain, R/o-Narmada Apartment, Flat no-109,
New Dak Bunglow Road, Exhibition Road, Patna, Bihar-800001.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Labour Resources Department, Govt. of Bihar, Niyogan Bhawan, Nehru Path, Patna.
2. The Labour Commissioner, Labour Resources Department, Govt. of Bihar, Niyogan Bhawan, Nehru Path, Patna.
3. The Director, Employment and Training, Labour Resources Department, Govt. of Bihar, Niyogan Bhawan, Nehru Path, Patna.
4. The Special Secretary, Labour Resources Department, Govt. of Bihar, Niyogan Bhawan, Nehru Path, Patna.
5. The Joint Secretary, Labour Resources Department, Govt. of Bihar, Niyogan Bhawan, Nehru Path, Patna.
6. The Joint Labour Commissioner, Labour Resources Department, Govt. of Bihar, Niyogan Bhawan, Nehru Path, Patna.
7. The Deputy Secretary, Labour Resources Department, Govt. of Bihar, Niyogan Bhawan, Nehru Path, Patna.
8. The Deputy Labour Commissioner, Labour Resources Department, Govt. of Bihar, Niyogan Bhawan, Nehru Path, Patna.
9. The Under Secretary, Labour Resources Department, Govt. of Bihar, Niyogan Bhawan, Nehru Path, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Baban Kumar
For the Respondent/s : Mr.Anil Kumar Singh (Gp26)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-11-2023 The present writ petition has been filed seeking the following reliefs:-

“1(i). For issuance of a writ in the nature of mandamus or an appropriate writ order or direction commanding the respondents to provide the benefits of 1st and 2nd ACP/MACP under MACP Rule-2010 from the due date and pay the



benefits of arrear of salary and revised retiral benefits along with revised pension with interest, which is due since long, even after retirement of the petitioner same has not been paid.

(ii) To direct and command the respondent authorities to pay the pension and all pensionary benefits at revised rate along with interest to the petitioner from the date it became due to the petitioner till actual date of payment along with penal interest.

(iii) Further, prayed to grant relief to the petitioner on the ground of parity, as the similar situate persons have been granted the benefits of first and second ACP/MACP from the due date in the Labour Resources Department and also grant the relief as per clause 4C of Bihar State Litigation Policy, 2011.

(iv) To pay the entire dues amount which is pending after retirement of the petitioner along with interest and also cost of litigation to the petitioner.”

2. At the outset, the learned counsel for the Respondent-State has referred to paragraph no. 13 of the counter affidavit to submit that the case of the petitioner for grant of the benefits of 1st and 2nd ACP / MACP is already under consideration by the Respondent authorities and necessary decision would definitely be taken within a period of six weeks from today, in case the



same has not already been taken. It is directed accordingly.

3. The present writ petition stands disposed off.

(Mohit Kumar Shah, J)

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