

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8222 of 2023

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Dinanath Prasad Son of Late Thakur Prasad Resident of Village and Post Office- Barkagaon, Chafawa, Police Station- Bhagwanpur Hat, District-Siwan, Retired while working as Fitter Category-1, Water Resource Department, Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary-cum-Additional Chief Secretary, Water Resources Department, Govt. of Bihar, Patna.
3. The Chief Engineer, Irrigation Division, Water Resources Department, Aurangabad.
4. The Executive Engineer, Rupankan Pramandal, Aurangabad.
5. The Accountant General, Birchand Patel Patha, Bihar, Patna.
6. The Senior Accounts Officer, Office of the Accountant General (A and E), Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Umesh Kumar Mishra, Adv.
For the Respondent/s	:	Mr.Vinay Kirti Singh (Ga2)
For the A.G.	:	Mrs. Nivedita Nirvikar, Adv.
		Ms. Supragya, Adv.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 28-11-2023 The present writ petition has been filed seeking the following reliefs:-

“1(i). For issuance of an appropriate writ in the nature of mandamus for commanding and directing the respondents to consider and grant the benefits of 02nd and 3rd ACP/ MACP to the petitioner, in the light of provision of MACP Scheme 2010 after completion of 20 and 30 years as is being given to the similarly situated employees of the State Government. Therefore, in



the light of recommendation of State Pay Commission and under the provision of ACP/MACP Scheme, the petitioner may kindly also be given the benefits of second and third ACP/ MACP after completion of 20 and 30 years of service.

(ii). For issuance of an appropriate writ in the nature of mandamus for commanding and directing the respondent authorities concerned to provide the benefits under ACP/MACP scheme for financial progression as even though the petitioner retired from service as Fitter Category -1, Water Resource Department, Aurangabad, after attaining the age of superannuation but till date, he has not been given the benefits of 02nd and 3rd ACP/MACP.

(iii). For issuance of an appropriate writ in the nature of mandamus for commanding and directing the respondent authorities concerned to consider the case of the petitioner and provide the benefits of second and third A.C.P./MACP after completion of 20 and 30 years of service and also revise the pension of the petitioner accordingly and also grant all consequential benefits.”

2. After some arguments, the learned counsel for the petitioner seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioner to approach the Respondents authorities for redressal of his aforesaid



grievances. Liberty, so sought, is granted.

3. The present writ petition stands disposed off as not pressed.

(Mohit Kumar Shah, J)

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