

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6371 of 2016

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Harishankar Mishra S/o Late Shatrughan Mishra, R/o Vill.- Bahadurpur
Patori, P.S.- Sahpur Patori, Dist. Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Deptt., Govt. of Bihar.
2. The Principal Secretary, Revenue and Land Reforms Dept. Govt. of Bihar.
3. The Deputy Secretary, Revenue and Land Reforms Dept. Govt. of Bihar, Patna.
4. The Collector, Samastipur District.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Madan Prasad Singh No- 2, Advocate
For the Respondent/s : Mr. Prashant Pratap, GP-6

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

7 23-04-2024 Heard Mr. Madan Prasad Singh No- 2, the learned
counsel for the petitioner and Mr. Prashant Pratap, the learned
GP-6 appearing on behalf of the State.

2. The present writ petition has been filed for
directing the respondents to grant the third Modified Assured
Career Progression (Hereinafter referred to as 'MACP') with
effect from 28.02.2007, when the petitioner completed thirty
years of service from 28.02.1977 with all consequential benefits
and further commanding the respondents to grant first ACP with
effect from 09.08.1999 and second ACP with effect from
22.02.2001 on completion of twelve and twenty-four years of



service under the ACP scheme 2003 and the benefit of third MACP with effect from 01.01.2009 on completion of thirty years of service counted from 28.02.1977.

3. Learned counsel for the State submits that in compliance of the order dated 04.01.2024, a meeting of District Screening Committee under the Chairmanship of the respondent no. 4, i.e., the Collector, Samastipur, was held on 25.01.2024 with regard to the third ACP of the petitioner and the propose regarding ACP and MACP along with Service Book of the petitioner was placed before the District Screening Committee and the Committee examined and considered the proposal and Service book of the petitioner and after perusal of the entire matter District Screening Committee has found that the benefit of first ACP and second ACP has already been provided to the petitioner with effect from 26.10.2008 and in light of the clause 04 of the letter no. 10936 dated 27.11.2014 of the Finance Department, Bihar, the District Screening Committee found that the petitioner is not entitled to get the third MACP. Apart from that, the District Screening Committee has already rejected the claim of the petitioner with regard to the third MACP in its meeting in its meeting dated 12.02.2017 itself and the petitioner has not challenged the proceeding of the District Screening



Committee dated 25.01.2024 and after due consideration the Committee has found that the petitioner is not entitled for the third MACP.

4. In view of the aforesaid, the writ petition stands dismissed.

(Rajesh Kumar Verma, J)

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