

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12176 of 2024

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Balbhadra Prasad Narayan Son of Harideo Narayan Singh, Resident of
Village- Near P.T.T. College, Langarpur, Barh, District- Patna, Bihar-803213.
... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Education, Bihar, New Secretariat, Patna.
2. The Additional Chief Secretariat, Department of Education, Govt. of Bihar, New Secretariat, Patna, Bihar.
3. The District Education Officer, Patna.
4. The District Programme Officer (Establishment), Patna.
5. The Block Education Officer, Barh, Patna.
6. The Head Master, Kamala Kanya Madhya Vidyalaya, Barh.
7. The Accountant General of Bihar, Beer Chand Patel Marg, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar Singh, Advocate
For the Respondent/s	:	Mrs. Nutan Sahay, AC to AAG-12
For the Accountant General	:	Mr. Vivekanand Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 30-10-2024

Heard the parties.

2. The petitioner by invoking the jurisdiction of this Court seeking a direction upon the concerned respondent authorities, especially, the District Programme Officer (Establishment), Patna for payment of 2nd and 3rd MACP and the consequential benefits, in terms with the order issued by the District Education Officer, Patna as contained in Memo No. 4603 dated 12.05.2023.

3. Learned Advocate for the petitioner advertng to the averments made in the writ petition has contended that the



petitioner was duly appointed as an Assistant Teacher on 01.07.1974 in Uchch Prathmik Vidyalaya, Jamalpur, Barh-2, Patna. Having uninterruptedly discharging the duty, the petitioner attained the age of superannuation and finally he superannuated from service on 31.12.2014 from Kamala Kanya Madhya Vidyalaya, Barh.

4. In view of the recommendation of the State Pay Commission, the Government of Bihar has recommended for introduction of a Modified Assured Career Progression (MACP) Scheme and after making amendment in MACP Scheme, 2010, it has been resolved by the State to extend the benefit of financial progression to the Assistant Teachers and Head Masters of the State Primary Schools at par with the other government employees.

5. In view of the aforesaid decision, a notification has also been published in Official Gazette on 07.10.2021. Pursuant thereto, in the meeting of the District Screening Committee on 30.01.2023, a provisional list of concerned beneficiaries have been published. After proper discussion, the list of the teachers and the head masters of the said category covered under MACP Scheme, 2010, 1st, 2nd and 3rd MACP were approved.

6. Drawing the attention of this Court to the list issued



by the District Education Officer, Patna contained in Memo No. 4603 dated 12.05.2023, learned Advocate for the petitioner contended that the claim of the petitioner was duly considered and the petitioner has been found eligible for 2nd and 3rd MACP with effect from 01.01.2009. Despite the issuance of the order by the District Education Officer, Patna way back on 12.05.2023, till date, the petitioner has not been accorded the benefit aforesaid and, as such, compelled to come before this Court.

7. Learned Advocate for the State fairly contended that if the claim of the petitioner was duly considered and he has been found eligible to get the benefit of 2nd and 3rd MACP, the same shall be accorded to him, in accordance with law.

8. Considering the submissions advanced on behalf of the learned Advocate for the respective parties and taking note of the limited grievance, this Court deems it apt and proper to dispose off the writ petition with a direction to the respondent nos. 3 and 4 to ensure the necessary consequential benefits of 2nd and 3rd MACP with effect from the due date, in the light of the order issued by the District Education Officer, contained in Memo No. 4603 dated 12.05.2023, preferably within a period of 12 weeks, from the date of receipt/production of a copy of this



order.

9. The writ petition stands disposed off.

(Harish Kumar, J)

shivank/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30.10.2024
Transmission Date	NA

