

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12648 of 2024

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Chandra Mohan Prasad Son of Kapildev Prasad, resident of village -
Madhurapur, P.S. - Pipra, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Water Resources Department, Bihar, Patna.
2. Additional Chief Secretary, Water Resources Department, Bihar, Patna.
3. Chief Engineer, Flood Control and Drainage, Water Resources Department, Birpur.
4. Rehabilitation Officer, Kosi Project, Supaul.
5. Accountant General, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Harshvardhan Shivsundaram, Advocate
For the Respondent/s	:	Mr. Mr. Sanjay Kumar, AC to SC-15
For the A.G. Bihar	:	Mr. Ram Kinker Chaubey, Advocate

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CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

2 02-09-2024 The petitioner is a retired 'Mapak' (Amin) under the Special Land Acquisition Officer No.I, Gandak Project in the District of Motihari. He joined his service in the year 1981, through out his service life, he did not get any promotion.

2. As per the ACP Rules of 2003, the petitioner was entitled during his service life ACP/MACP on completion of his 10 years, 20 years and 30 years. However, his employer failed and neglected to revise his pay. As a subordinate staff, he did not dare to make any representation before the Authority to revise his pay granting ACP/MACP. He retired from service on superannuation on 31.10.2022. Now the petitioner has prayed



for revision of his pay under Bihar State Employees Service Conditions (Assured Career Progression Scheme), Rules, 2003.

3. It is needless to say that the petitioner is entitled to get MACP on completion of his service after 10 years, 20 years and 30 years. It is the duty of the employer to grant financial benefit to the employee as per the 2003 Rules.

4. As the said benefit was not granted, the respondent No.3 is directed to revise the pay of the petitioner as per ACP/ MACP Rules and pay arrear amount of salary as well as pensionary benefit as per the revision of pay under 2003 Rules, within 90 days from the date of communication of this order.

5. The petitioner is at liberty to communicate the server copy of this order for information and compliance to the respondent Authorities.

6. Accordingly, the instant writ petition is thus, disposed of.

(Bibek Chaudhuri, J)

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