

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15205 of 2024

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Anil Prasad Rajak Son of Late Kishore Baitha @ Kishori Rajak, Resident of Ward No.04, Kharjamma, Mahnar, Police Station - Mahnar, District- Vaishali.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Road Construction Department, Government of Bihar, Patna.
2. The Principal Secretary, Road Construction Department, Government of Bihar, Patna.
3. The Principal Secretary, Finance Department, Government of Bihar, Patna.
4. The Superintending Engineer, Road Construction Department, Magadh Road Circle, Gaya.
5. The Executive Engineer, Road Construction Division, Road Division, Jehanabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Gopal Govind Mishra, Adv.
	:	Mr. Munna Kumar Upadhyay, Adv.
For the Respondent/s	:	Standing Counsel (23)

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CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

2 05-10-2024 The grievance of the petitioner is that he has not been granted 1st and 2nd MACP under the MACP Scheme, 2010. Though, he completed his first 10 years of service on 08.04.2013 and 20 years of service on 08.04.2023.

2.The Executive Engineer, Jehanabad recommended his claim and referred the file to the Superintending Engineer, Road Construction Department, Magadh region, Gaya. The said approval has not been accorded as yet. The petitioner submitted the representation to the Executive Engineer, Road Construction Department, Jehanabad on 13.07.2024, vide Annexure P-2.



3. It is submitted by the learned advocate on behalf of the respondents that the Executive Engineer is not the competent Authority to grant ACP/MACP to the petitioner. It is for the Superintending Engineer (respondent no. 4) to consider the prayer of the petitioner.

4. Under such circumstances, the instant writ petition is disposed of directing the petitioner to submit a detailed representation with all documents annexing therewith to the Superintending Engineer, Road Construction Department, Magadh region, Gaya.

5. If such representation is filed, the Superintending Engineer shall dispose of the same within sixty days from the date of receipt of such representation.

6. With the above direction, the instant writ petition is disposed of.

(Bibek Chaudhuri, J)

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