

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15310 of 2023

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Arun Prasad Gupta Son of Late Bishwanath Prasad Gupta, Resident of
Mohalla- Siddhartha Nagar, Jagadeo Path, P.S.- Hawai Adda, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Public Health Engineering Department, Government of Bihar, Patna.
2. The Principal Secretary, Public Health Engineering Department, Government of Bihar, Patna.
3. The Engineer-in-Chief cum Special Secretary, Public Health Engineer Department, Government of Bihar, Patna.
4. The Chief Engineer (Urban), Public Health Engineering Department, Government of Bihar, Patna.
5. The Deputy Secretary, Public Health Engineering Department, Government of Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Raj Nandan Prasad, Advocate
For the Respondent/s : Mr.S. Raza Ahmad (Aag 5)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-04-2024 1. The present writ petition has been filed seeking the
following relief(s):-

*“1(i) To grant third MACP (Modified Assured
Carrier Progression) due on 05.08.2010
whereas the first and second granted by memo
no. 69 dated 13.04.2009 issued by Engineering
in Chief Cum Special Secretary, Public Health
Engineering Department, (PHED), Bihar,
Patna.*

*(ii) For issuance of an appropriate writ in
nature of Mandamus or any other writ/writs,
order/orders, direction/directions commanding*



to direct the respondent authorities to make payments.

(iii) For declaring and holding that the actions of the respondent authorities are mala fide, arbitrary, without jurisdiction as well as abuse of power and authority.”

2. At the outset, the learned counsel for the petitioner submits that one another writ petition bearing CWJC No.9293 of 2019, has been filed by the petitioner for setting aside the memo dated 12.03.2019, whereby and whereunder the benefit of 1st and 2nd ACP, granted to the petitioner earlier has been cancelled, hence the petitioner be permitted to raise the issue, raised in the present writ petition in the aforesaid writ petition. Permission so sought is granted.

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

(Mohit Kumar Shah, J)

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