

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1976 of 2025

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Pramila Kumari wife of Mahesh Nandan Singh, Resident of Mohalla-JF50, Road No. 10, Rajendra Nagar, Police Station-Kadam Kuan, District-Patna, retired Incharge Headmistress, Project Girls High School, Karande Anchal-Chewara, District-Sheikhpura.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
2. The Director, Secondary Education, Bihar, Patna.
3. The Regional Deputy Director of Education (R.D.D.E.) Munger Division, Munger.
4. The District Education Officer, Sheikhpura, District-Sheikhpura.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar, Adv.
For the Respondent/s : Mr. Santosh Chandra Bhaskar, AC to GP-11

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 01-11-2025

Heard the parties.

2. The petitioner was initially appointed as Graduate Trained Teacher in Project Girls High School, Karande and after serving satisfactory service of more than twenty eight years, she superannuated on 31.12.2010. The petitioner on being found eligible was also extended the benefit of 1st Time Bound Promotion with due date, but surprisingly, despite the decision taken by the State to extend the benefit of ACP/MACP to the teachers of the high schools/project high schools, the petitioner has been denied such benefit and, as such, in the aforesaid premise, she has approached this Court by filing the present writ



petition seeking a direction upon respondents no.3 and 4 to consider her claim for grant of ACP/MACP after completion of 10 and 20 years of service.

3. Learned Advocate for the State seeks permission to file a counter affidavit in the Court, the copy of which has been served upon the learned Advocate for the petitioner.

4. Permission is accorded.

5. Bare perusal of the counter affidavit, this Court finds that there is no material on record regarding non-suiting the petitioner for the reliefs prayed for in the writ petition. However, it is only averred that despite the repeated requests through official communication to the petitioner to provide necessary supporting materials, the decision of extending the benefit of ACP/MACP could not be taken up till now.

6. Having considered the submissions advanced and the materials available on record, this Court does not find any substance in the contention raised by the State respondents, who are the ultimate custodian of the service book of the petitioner. It is the respondent authorities who have to look into the official documents, based upon which they have to arrive on a decision to extend the benefit of ACP/MACP to the petitioner, if she is found entitled by virtue of the length of her service.



7. In view of the aforesaid facts, the present writ petition stands disposed off with a direction to respondents no.3 and 4 to look into the matter and consider the claim of the petitioner for grant of benefit of ACP/MACP after proper verification of the official record as well as the materials brought in the present writ petition, especially Annexure-P/3 for the purposes of computation of length of services and pass a reasoned order extending the benefit of ACP/MACP, preferably within a period of twelve weeks from the date of receipt/production of a copy of this order.

8. Suffice it to observe that in case the claim of the petitioner finds favour, necessary consequential monetary benefit must be accorded within the period stipulated.

(Harish Kumar, J)

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