

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1765 of 2025

Vijay Kumar Chaudhary Son of Late Baidya Nath Choudhary, Resident of Village- Sultanpur, P.S.- Kusheshwar Asthan, District- Darbhanga at present Friends Colony, Said Nagar, Laheria Sarai, Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through its Secretary, Rural Works Department, Government of Bihar.
2. The Secretary, Finance Department, Govt. of Bihar.
3. The Engineer in Chief, Rural Works Department, Government of Bihar.
4. The Chief Engineer- 3, Rural Works Department, Government of Bihar.
5. The Superintending Engineer, Rural Works Department, Bhagalpur Circle.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shyam Kishor Das, Adv.

For the Respondent/s : Mr. Rajesh Kumar, AC to GP3

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 06-02-2025 Heard Learned Counsel for the petitioner and
Learned Counsel for the State.

2. The present writ petition has been filed by the
petitioner with the following reliefs:-

*(i) To issue a writ in the nature of
Mandamus commanding the Respondent No. 4 & 5
to release the ACP/MACP amount with interest to
the Petitioner.*

*(ii) To issue a writ in the nature of
Mandamus commanding the Respondent no. 4 & 5
to avail the provision of MACP as per Rule vide
no. 8/A.P.- 119/2013-73784 dated 30.06.2014
(Ann-4) is make by Government of Bihar.*

3. Counsel for the petitioner submits that there is no
need for the petitioner to pass departmental examination for
grant of A.C.P. /M.A.C.P. in the light of latest judgment of this



Hon'ble Court and in support of his claim, the petitioner has filed a representation as Annexure-P/9 sent to registered post to Respondent No.4.

4. Counsel for the State submits that though earlier writ petition of the petitioner has been rejected in the light of the earlier order passed by this Hon'ble Court in C.W.J.C. No.3898 of 2024. He further submits that in the fresh representation, he has relied on various judgments, which have not been taken into consideration. As such, liberty may be granted to pass order on his representation *vide* Annexure-P/10 of the writ petition.

5. In this background, it transpires to this Court that the situation in earlier case and situation at present, have now changed. As such, the Respondent No.4 is directed to pass order afresh on the representation of the petitioner within 90 days from the date of production of this order.

6. With the aforesaid directions & observations, the present writ application stands disposed off.

(Dr. Anshuman, J.)

Prakashmani/-

U			
---	--	--	--

