

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3767 of 2025

Pradeep Kumar S/o Raj Narayan Bhagat, R/o Mohalla-Juravan singh, Post-Lal Bagh,P.S.-Darbhanga Sadar, Dist- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Rural works Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Rural works Department, Govt. of Bihar, Patna.
3. The Additional Chief secretary, General administration Department, Govt. of Bihar, Patna.
4. The Principal Secretary, Finance Department, Govt. of Bihar, Patna.
5. The Engineer-in-Chief cum Special Secretary, Rural works Department, Govt. of Bihar, Patna.
6. The Chief Engineer-VI, Rural works Department, Govt. of Bihar, Patna.
7. The Chief Engineer-III, Rural works Department, Govt. of Bihar, Patna.
8. The Superintending Engineer, Rural works Circle, Darbhanga.
9. The Executive Engineer, Rural Works Department, Works Division Biraul, Darbhanga

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Siyaram Pandey, Advocate Mr. Dewesh Kumar Pandey, Advocate Mr. Santosh Kumar Jha, Advocate
For the Respondent/s	:	Mr. Suman Kumar Jha, AC to AAG-3

CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL
ORAL ORDER

2 04-03-2025 Heard learned counsel for the petitioner as well as respondent-State.

2. It is submitted by the learned counsel for the petitioner that petitioner was appointed on 28.01.1989 on the post of Correspondence Clerk. He superannuated from his services on 28.02.2019, thereby he served on the department more than 30 years in service. Therefore, he is entitled to get 1st



ACP on 30.01.2001, 2nd MACP on 30.01.2009 and 3rd MACP on 30.01.2019, though the petitioner was given 1st ACP with effect from 16.01.2010 and also 2nd MACP with effect from 16.01.2010 but both 1st and 2nd MACP have been wrongly granted with effect from 16.01.2010. He further submits that as of now in the light of the judgment passed by the full Bench of this Court in C.W.J.C. No. 18727/2017 and others connected petitions vide order dated 28.06.2024, the petitioner is also entitled for grant of all benefits for which he claimed for in this petition. According to the counsel, the matter of the petitioner is squarely covered with the aforesaid mentioned judgment .

3. Counsel for the respondent-State submits that petitioner has been retired from services in the year of 2019 and after a lapse of about 5 years, he made his grievances which is time barred. However, he fairly admitted the fact that the matter of the petitioner is squarely covered with the above mentioned judgment referred by the counsel for the petitioner.

4. Considering the submissions put forth by both the counsels, it would be appropriate to dispose of the petition at this stage itself directing the concerned respondent nos. i.e., 04 and 05 to consider and decide the claim of the petitioner as well as his representation Annexure-P/6 series. Accordingly, the



petition is disposed of and respondent nos. 04 and 05 are directed to consider and decide the pending representation Annexure- P/6 series as early as possible probably within 60 days from the date of receipt/copy of order of this Court in accordance with relevant rules and law and taking into consideration the observation made by the full Bench of this Court passed in **C.W.J.C. No. 18727/2017 (Kamlanand Thakur V/s The State of Bihar & Ors) (Supra).**

5. The decision will be taken by the concerned respondent further taking into the consideration the fact that vide Annexure -P/3 the claim of others has already been granted by the department who were junior to the petitioner.

(Arvind Singh Chandel , J)

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