

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4253 of 2025

Saurabh Kumar Singh Son of Late Uma Shankar Sinha Resident of Village - Hariharpur, P.S- Gautam Budh Nagar, Tarwara, District- Siwan, presently residing at Srilekha Enclave, Flat No.2, Road No. 1, Shivpuri, Boring Road Patna, P.S-Shastri Nagar, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Govt. of Bihar, Main Secretariat, Patna.
2. District Magistrate, Patna.
3. Deputy Collector/Establishment, Collectorate of Patna.
4. Circle Officer, Department of Revenue of Land Reform, Government of Bihar, Circle office, Phulwarisharif, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Braj Kishore Singh, Advocate
For the Respondent/s : Mr. Manoj Kumar, AC to GP-4

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 20-03-2025 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 set aside the decision taken by the District Screening Committee in its meeting dated 18.01.2025 convened under the chairmanship of respondent District Magistrate, Patna and Communicated vide Memo no-1 dated 18.01.2025, issued under the signature of



respondent Deputy Collector-Establishment, Patna, whereby the benefit of MACP in terms with MACP Rules 2010 has been denied to the petitioner on the ground of not having passed the Departmental Accounts Examination.

(ii) Further prayer in the present writ application is to grant first MACP to the petitioner with effect from June 2012, when the petitioner having completed 10 years of qualifying service, became eligible for grant of first MACP in terms with MACP Rules 2010.

(iii) The petitioner further prays for granting him the benefit of 2nd MACP from due date when he completed Twenty Years (20 years) of qualifying service.

(iv) For a further direction to the respondents to make payment of arrears of salary after allowing him the monetary benefit on grant of such 1st and 2nd MACP to the petitioner with effect from June 2012, in terms of MACP Rules 2010, taking into account that as conclusively held by the Hon'ble Supreme Court as well as the full bench of this Hon'ble Court,



passing of departmental accounts examination is not an essential requirement for the purpose of grant of ACP/MACP to the otherwise eligible employees like the petitioner.”

3. Learned Counsel for the petitioner submits that the decision of the District Screening Committee, Patna, has been challenged before this Court which is Annexure-P/1.

4. Learned Counsel for the State raised preliminary objection and submits that from Annexure-P/1 of the writ petition it transpires that all pages are not in continuation. Internal page of the alleged Memo is page-7, page-14, page-26, page-27 and then final page is page-15. Counsel for the State submits that there is some interpolation in the said letter.

5. Learned Counsel for the petitioner has no explanation for the same.

6. As such, this writ petition is dismissed.

(Dr. Anshuman, J)

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