

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.410 of 2025

In

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.

... .. Appellant/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 Appellant/s	:	Mr. Kishore Kumar Thakur, Advocate Mr. Braj Kishore Singh, Advocate Mr. Amit Kumar, Advocate
For the Respondent/s	:	Mr. Addl. Advocate General (12)

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ALOK KUMAR SINHA

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 24-09-2025

The appellant has assailed the order of the learned Single Judge dated 20.03.2025 passed in CWJC No. 4253 of 2025.

2. The appellant's grievance has been turned down on certain alleged allegations. It is necessary to reproduce para 4 of the order dated 20.03.2025 and it reads as under:-



“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.”

3. Today, learned counsel for the State on instruction submitted that there is no interpolation in the letter vide Annexure-P/1.

4. In the light of the aforementioned submission, the order of the learned Single Judge could have been set aside and remanded, however, having regard to the fact that it is a settled matter even in the absence of passing departmental examination, employee is entitled to benefit of MACP in the light of Hon'ble Supreme Court decision read with the Full Bench decision of this Court, the appellant has made out a case so as to interfere with the order of the learned Single Judge dated 20.03.2025 passed in CWJC No. 4253 of 2025, and it is set aside and so also official respondents memo no. 1 dated 18.01.2025 insofar as denial of MACP benefit is also set aside.

5. The concerned respondent is hereby directed to extend the MACP benefit to the appellant including arrears of



amount within a period of four months from the date of receipt of this order.

6. Accordingly, LPA stands allowed.

7. Pending I.A., if any, stands disposed of.

8. In the alternative, if the appellant is entitled to any promotion as on the date of MACP due, he may be promoted on par with his junior and extend all service and monetary benefit within the time limit stipulated *supra*.

(P. B. Bajanthri, CJ)

(Alok Kumar Sinha, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27.09.2025
Transmission Date	NA

