

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10247 of 2025

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Vidyadhar Mishra, Son of Late Ram Najar Mishra, Resident of Mohalla-
B/185, Police Colony, Police Station- Gardanibagh, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary cum Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Additional Chief Secretary cum Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director (Administration), Education Department, Government of Bihar, Patna.
4. The Director, State Council of Education Research and Training, Government of Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nikesh Kumar, Adv.
For the Respondent/s : Mr. Addl. Advocate General (05)

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 07-07-2025 Heard the parties.

2. The petitioner approached this Court seeking issuance of a writ in the nature of mandamus directing the respondents to extend the benefit of A.C.P./M.A.C.P. for which the petitioner has been running before all the authorities concerned. Nonetheless, other identically situated persons have been extended the said benefits.

3. Mr. Nikesh Kumar, learned Advocate for the petitioner submits that other identically situated persons, whose names have been mentioned in paragraph no. 18 of the writ petition, they have been accorded the benefit of



A.C.P./M.A.C.P., however, discrimination has been caused and the petitioner who is identically situated, has been deprived without there being any justifiable reason. The Director Administration-cum-Joint Secretary, Education Department vide his letter no. 1103 dated 23.07.2007 had informed that the employees absorbed in different offices of the Education Department will continue to be a Government employee and will be entitled to the benefit of A.C.P./M.A.C.P. as per their seniority from the date of the appointment in SIET (State Institute of Educational Technology). After dissolution of the SIET, the services of the petitioner came to be absorbed in the SCERT (State Council of Educational Research and Training), from where the petitioner superannuated on 30.06.2013.

4. It has also been apprised that the Director Administration, Education Department vide memo no. 1190 dated 16.08.2020 directed SCERT to sanction A.C.P./M.A.C.P. to the petitioner as sanctioned to other similarly situated employees, namely Sri Sudhir Kumar Sinha and Sri Ganesh Prasad Singh who have been accorded the respective A.C.P./M.A.C.P. benefit by virtue of the order of this Court passed in C.W.J.C. No. 994 of 2024 and C.W.J.C. No. 4813 of 2017 respectively.



5. Learned Advocate for the State prays for a short adjournment to seek instruction and file counter affidavit.

6. Considering the grievance of the petitioner which is based upon parity and the materials available on record, this Court deems it fit and proper to dispose of the writ petition with a direction to the respondent no. 2 to consider the claim of the petitioner and dispose off the same by a reasoned and speaking order, taking note of the afore-mentioned facts preferably within a period of 12 weeks' from the date of receipt/production of a copy of this order.

7. In case the claim of the petitioner finds favour and identical to those whose names have been mentioned hereinabove, similar relief must be accorded to the petitioner.

8. The writ petition stands disposed.

(Harish Kumar, J)

supratim/-

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