

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5143 of 2017

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Triveni Sharma Son of Late Ugam Narayan Sharma, Resident of Village-
Krishna Nagar Raja Bazar, P.S. Nagar Police Station- Jehanabad, District-
Jehanabad.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors.
2. The Under Secretary Management, Water Resources Department, Sinchai Bhawan, Patna.
3. The Principal Secretary, Finance Department, Bihar, Patna. null null
4. The Principal Secretary, General Administration Department, Bihar, Patna.
5. The Accountant General, Bihar, Birchand Patel Path, Patna.
6. The Under Secretary, Finance Personal Claim Fixation Cell Department, Opposite Income Tax Building
7. The Executive Engineer, Rural Works Department, Works Division, Benipatti, District Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar, Advocate
For the Respondent/s	:	Mr. Anjani Kumar, AAG-4
For the Accountant General	:	Mr. Arun Kumar Arun, Adv.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 06-05-2025 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the Accountant
General.

2. The present writ petition has been filed for the
grant of the 3rd M.A.C.P. to the petitioner in the grade pay of
Rs. 7600/-, which has been rejected on the frivolous ground that
the petitioner did not fulfill the benchmark of 'Very Good'
during the years 2009–2012. A further prayer has been made for
a direction to the respondents to allow the two annual



increments due to the petitioner on 01.07.2011 and 01.07.2012. Additionally, a prayer has been made for directing the respondents to pay statutory interest at the rate of 5% pursuant to Memo dated 07.11.1981, on account of the extraordinary delay in making payment of the legitimate dues of the petitioner.

3. Learned counsel for the petitioner submits that during the pendency of the writ petition, Letter No. 4862 issued by the Finance Department dated 29.04.2025 has been issued, based on the Full Bench decision of this Hon'ble Court in ***Kamlanand Thakur v. State of Bihar & Ors.***, passed in **CWJC No. 18727 of 2017** on 28.06.2024. According to the said decision, the petitioner is entitled to the grant of the third A.C.P.

4. Learned counsel for the State and counsel for the Accountant General submit that the present writ petition may be disposed of in terms of the order passed in the case of ***Kamlanand Thakur (supra)***.

5. In light of the above submissions, the writ petition stands disposed off in terms of the order passed in the case of ***Kamlanand Thakur (supra)*** with a direction to the petitioner to file a fresh representation before respondent No. 1, the Principal Secretary, Water Resources Department and respondent No. 1 is directed to consider the petitioner's case in light of the Full



Bench decision of this Hon'ble Court in *Kamlanand Thakur* (**supra**), as well as Letter No. 4862 dated 29.04.2025 issued by the Finance Department. The petitioner shall file the fresh representation along with a copy of this order and relevant documents, including the said letter and order sheet, and respondent No. 1 shall dispose off the same within 90 days from the date of receipt of the representation.

(Dr. Anshuman, J.)

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