

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11014 of 2023

=====

Krishna Murari Mishra Son of Late Vishwanath Mishra Resident of Hanuman Nagar, Road No. 2, Bairiya, behind of Bairiya Middle School, Kolhua, Paigambarpur, P.S. Bairiya, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director, Secondary Education, Govt. of Bihar, Patna.
2. The Regional Deputy Director, Secondary Education, Tirhut Division, Muzaffarpur.
3. The District Magistrate, Muzaffarpur.
4. The District Education Officer, Muzaffarpur.
5. The Accountant General, Bihar, Patna.
6. The Treasury Officer, Muzaffarpur.
7. The District Programme Officer (Est.), Muzaffarpur.
8. The Headmaster, Nathuni Bhagat, High School, Muzaffarpur.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Surendra Kishore Thakur, Advocate
For the Respondent/s	:	Mr. Madhaw Prasad Yadaw, GP-23
		Mr. Arvind Kumar, AC to GP-23
For the A.G, Bihar	:	Mr. Bindhyachal Rai, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL JUDGMENT

Date : 21-08-2025

Heard Mr. Surendra Kishoe Thakur, learned counsel appearing on behalf of the petitioner; Mr. Arvind Kumar, learned AC to GP-23 appearing on behalf of the State and Mr. Bindhyachal Rai, learned counsel appearing on behalf of the Accountant General, Bihar.

2. The petitioner, who retired on 31.01.2018 while



working as teacher of a project school known as Nathuni Bhagat High School, Muzaffarpur, has filed this writ petition seeking a direction to the respondents for grant of 1st, 2nd and 3rd ACP as well as Grade Pay-III @ Rs. 5400/- on completion of 30 years of service.

3. Learned advocate for the petitioner has submitted that the 1st ACP has already been granted to the petitioner and, therefore, prayer of the petitioner is confined to the grant of 2nd and 3rd ACP upon grant of which the Grade Pay-III @ Rs. 5400/- as prayed for by the petitioner would also be automatically included in the 2nd and 3rd ACP.

4. The respondent No.7 / the District Programme Officer (Establishment), Muzaffarpur, has filed a counter affidavit, wherein, in paragraph No. 6 it has been stated as under:

“6. That in this regard, this deponent has sent the original service book of the petitioner to the office of Regional Deputy Director of Education (RDDE), Tirhut Division, Muzaffarpur Regional Deputy Director of Education (RDDE), Tirhut Division, Muzaffarpur and subsequently a letter has been issued



by the office of RDDE, Tirhut Division, Muzaffarpur vide letter no. 1939 dated 26.09.2023, whereby and whereunder mentioning that as per the decision taken in the meeting of the screening committee convened on 20.09.2023, the second and third MACP of the petitioner has been approved by the office of RDDE, Tirhut Division, Muzaffarpur vide office memo no. 1925 dated 22.09.2023. The name of the petitioner has been listed on serial no. 40 in the MACP Approval Order.”

5. On the perusal of paragraph 6 of the counter affidavit filed by the respondent No.7 / the District Programme Officer (Establishment), Muzaffarpur, it has been found that the 2nd and 3rd MACP of the petitioner has been approved by the Office of Regional Deputy Director of Education (RDDE), Tirhut Division, Muzaffarpur vide Office Memo No. 1925 dated 22.09.2023, wherein, the name of the petitioner has been listed at serial no. 40 in the MACP Approval Order.

6. Since the 2nd and 3rd MACP of the petitioner has been approved by the Regional Deputy Director of Education (RDDE), Tirhut Division, Muzaffarpur as far back as on



22.09.2023 as is evident from the counter affidavit filed by the respondent No.7 / the District Programme Officer (Establishment), Muzaffarpur, this writ petition is hereby disposed off with a direction to the respondents to grant the 2nd and 3rd MACP of the petitioner forthwith.

7. The writ petition is disposed off with the above direction.

(Nani Tagia, J)

Nilmani/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	22/08/2025
Transmission Date	N/A

