

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12890 of 2025

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Baidyanath Singh Son of Late Kishun Singh, Resident of Village- Daniyawar,
Post Office- Sadipur, Police Station- Sonbhandra Banshi, District- Arwal,
Ward No. 03, Police Station and District- Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Labour Resource, Government of Bihar, Patna.
2. The Principal Secretary, Department of Labour Resource, Government of Bihar, Patna.
3. The Principal Secretary, Department of Personal and Administrative Reforms, Government of Bihar, Patna.
4. The Labour Commissioner, Department of Labour Resource, Government of Bihar, Patna.
5. The Principal Secretary, Department of Finance, Government of Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate
For the Respondent/s : Mr. Rakesh Ranjan, A.C. to G.P.22

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 08-09-2025 Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. The petitioner has filed the instant application for
the following relief(s):

*“(i) For issuance of a writ in the nature of
mandamus commanding and directing upon the
Respondents concerned specially Respondent No. 4 to
consider the claim of petitioner grant of 2nd MACP in
pay scale of Rs. 10,000-15,2000/-with grant pay of Rs.
6600/- against the post of Assistant Labour
Commissioner in view of Bihar State Employees*



Service Condition (Modified Assured Career Progression) Scheme 2010 stipulating grant of financial benefits to the employees after completion of 10, 20 and 30 years of service in view of judgement passed by this Hon'ble Court in C.W.J.C. No. 2115 of 2023 and other analogous cases disposed of vide order dated 08.10.2024 passed by this Hon'ble Court and consequent office order bearing Memo No.7002 dated 18.12.2024 issued under the signature of Respondent No. 4 itself but the claim of petitioner is not being considered despite having made representation in this regard before Respondent No. 4 itself.

(ii) For direction upon the Respondents concern to pay the due differences of amount after granting 2nd MACP in pay scale of Rs. 7500-15200/- with grade pay of Rs. 6600/- and accordingly as a consequential benefits pensionary benefits may also be revised and be paid.

(iii) Any other order/orders for granting any other relief/relief for which the petitioner is found entitled to in the facts and circumstances of the case.”

3. It is submitted by learned counsel for the petitioner that the petitioner has filed representations before the Labour Commissioner, Department of Labour Resource, Government of Bihar, Patna (respondent no.4), copies of which have been brought on record as Annexures P/3 and P/4 to this application. It is further submitted that the case of the petitioner is covered by a judgment of this Court dated 8.10.2024 (Annexure P/1) passed in CWJC no.2115 of 2023 and analogous cases. It is



submitted that the instant writ application be disposed of directing the respondent no.4 to decide the case/representation of the petitioner in accordance with law within a reasonable time.

4. Learned counsel for the respondents having gone through the judgment at Annexure P/1 submits that prima facie it appears that the case of the petitioners therein is similar to the case of the petitioner, however, the matter needs to be gone into in detail by the concerned authority.

5. Having heard learned counsel for the parties and taking into consideration the facts of the case and the submissions made, the instant writ application is disposed of giving liberty to the petitioner to file a fresh representation before the Labour Commissioner, Department of Labour Resource, Government of Bihar, Patna (respondent no.4) enclosing with the same a copy of the judgment dated 8.10.2024 passed in CWJC no.2115 of 2023.

6. In case such a representation is filed within a period of two weeks along with a copy of this order, the same shall be decided by the respondent no.4 in accordance with law within a period of two months from the date of its filing.

7. It is made clear that the Court has not gone into the



merits of the case of the petitioner which is to be decided by the respondent concerned.

8. The writ application stands disposed of with the aforesaid directions.

9. In case the representation of the petitioner finds favour with the respondent concerned, the consequential monetary benefits shall be paid to the petitioner within a period of three months from the date of it's disposal.

(Partha Sarthy, J)

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