

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.21936 of 2019**

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1. Renuka Sinha, W/o Late Bisaram Je Prasad Sinha, Resident in Flat No. 301, Lal Bahadur Kunj Apartment, Bind Toli, near Karpuri Bhawan, Sheikhpura, Patna
  2. Upendra Kumar Verma, S/o Late Bageshwari Prasad Verma, Resident of Quarter No. 24 H1/A, Mandir Marg, West Anandpuri, Boring Canal Road, Patna
  3. Ashok Kumar Pandey, S/o Late Lal Bihari Pandey, Residing in Quarter No. B/153, P.C. Colony, Kankarbagh, Patna-20
  4. Abha Rani, W/o Late Shisir Kumar Saran, C/o Sri Basant Kumar Saran, Friends Housing Colony, Road No. 2, Ashiyana Nagar, Patna

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Finance, Govt. of Bihar, Patna
2. The Senior Superintendent of Police, Patna
3. The Inspector General of Police (Budget/Appal/Welfare), Govt. of Bihar, Patna

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Amar Nath Jha, Advocate  
For the Respondent/s : Mr. Md. Nadim Seraj, GP-5

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**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

3      18-06-2025                      Heard the parties.

2. The petitioners are aggrieved with the letter dated 06.09.2018 issued by the Inspector General of Police (Budget/Appeal/Welfare), Government of Bihar whereby the claim of the petitioners came to be rejected.

3. At the outset, learned Advocate for the petitioners contended that the issue with regard to passing of the accounts examination for the purposes of extending the benefit of



ACP/MACP came to be settled by Full Bench of this Court in the case of *Kamlanand Thakur vs. The State of Bihar & Ors.* reported in **2024 (4) BLJ 806**. It is further contended that identical issue has also come up for consideration in C.W.J.C. No. 22851 of 2013 which was duly affirmed by the learned Division Bench as well as by the Apex Court; hence, the impugned order is *per se* illegal and in the teeth of the mandate of this Court.

4. On the other hand, learned Advocate for the State submits at the Bar that since no instruction has been received and, as such, he is not in a position to apprise this Court with regard to the present position. However, if the claim of the petitioner is based on parity that is required to be considered at the level of the department.

5. Having considered the submissions advanced and the rulings aforementioned, this Court deems it apt and proper to dispose off the writ petition, with a direction to the respondent no. 2 to consider the claim of the petitioners for extending the benefit of ACP/MACP in the light of the Full Bench decision of this Court in the case of *Kamlanand Thakur (supra)*, preferably within a period of 12 weeks from today.

6. Suffice it to observe that in case the claim of the



petitioner finds favour, necessary consequential order shall be passed.

7. It is made clear that in view of the subsequent changed legal position as also considering the facts of the case of the petitioner, the order impugned shall not come in the way to pass any final order.

8. The writ petition stands disposed off.

**(Harish Kumar, J)**

supratim/-

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