

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.994 of 2025

Ashok Kumar Mishra S/o Late Yamuna Mishra R/o Vilalge-Chand Sarai,
Sahdullahchak, Ward 10, P.S. Mahua, District Vaishali, retired as Panchayat
Sachiv from Patepur Block, District Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Panchayati Raj, Government of Bihar, Patna.
2. The Commissioner, Tirhut Division, Muzaffarpur.
3. The District Magistrate, Vaishali at Hajipur.
4. The District Panchayati Raj Officer, Vaishali at Hajipur.
5. The Block Development Officer, Patepur, Vaishali.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr .Ravish Mishra, Adv.
For the Respondent/s : Mr. Nutan Sahay, AC to AAG - 12

CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL
ORAL ORDER

3 20-06-2025 Heard learned counsel for the petitioner as well as
counsel for the respondent-State.

2. This petition has been preferred by the petitioner for directing the respondents to grant him the benefit of 2nd MACP/ACP.

3. It is submitted by the counsel for the petitioner that the petitioner has joined his services on 04.12.1990 and was granted the benefit of first ACP on 03.12.2002. Therefore, after completion of further 10 years of service on 03.12.2012, he is entitled to get the benefit of 2nd ACP which has not been provided to him by the respondents. Meanwhile, in the year



2018 the petitioner has superannuated. Since, the petitioner is entitled to get the benefit of 2nd ACP w.e.f 03.12.2012. Therefore, it is prayed by the counsel that the respondents may be directed to consider the claim of the petitioner and pass an order in this regard.

4. In the counter affidavit submitted by the counsel for the respondents the claim of the petitioner has been already accepted. However, in para 12 of the counter affidavit it is pleaded that due to not conveying the Vaishali Screening Committee till today the petitioner has not been provided the said benefit. According to the counsel for the respondent whenever the meeting will be held the decision will be taken on the matter.

5. Considering the submission made by the counsels and particularly considering the fact that the respondents have already admitted the claim of the petitioner and the meeting of the screening committee is awaiting. It would be appropriate to dispose of the present petition, directing the respondents to convey the meeting of the screening committee as early as possible probably within two weeks and take a decision in accordance with relevant rules and laws.

6. The petitioner is also at liberty to approach this



Court again if the occasion arises.

7. With the aforesaid observation, this writ petition is disposed of.

(Arvind Singh Chandel , J)

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