

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3383 of 2026

Balwant Kumar Samaiyar Son of Late Kaushalendra Prasad Samaiyar
Resident of Flat No.- 304G, Third Floor Raj Kishori Apartment, G.D. Mishra
Path in front of Hitech Apartment, P.S.- Patliputra Colony, New Patliputra
Colony, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Secretary, Scheduled Caste/Scheduled Tribe Welfare, Welfare Department having his office at Old Secretariate, P.S.- Sachivalaya, District- Patna.
3. The District Welfare Officer, Nalanda having his office at Collectorate Compound, Biharsharif, P.S.- Biharsharif, District- Nalanda.
4. The Accountant General (A & E) Bihar Patna, having his office at Birchand Patel Path, P.S.- Kotwali, District- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Vikas Mohan, Advocate
For the State	:	Mr. Kameshwar Kumar, G.P.-17
For the Accountant General:		Mr. Ram Yash Singh, Advocate
		Mr. Sunil Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 13-03-2026 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):

“1. That this application is being filed for considering the case of the petitioner for grant of benefit of 1st and 2nd M.A.C.P. on completion of 10 years and 20 years of service w.e.f. 01.01.2009 and 22.04.2012 respectively with all consequential monetary benefits arising out of grant of benefits of M.A.C.P.

2. That the petitioner prays for the following



relief.

(a) That writ in the nature of mandamus may be issued directing the respondents to consider the case of the petitioner for grant of benefits of 1st and 2nd M.A.C.P. on completion of 10 years and 20 years of his service.

(b) That the respondents may further be directed to pay all consequential monetary benefits to the petitioner consequent upon grant of benefits of M.A.C.P.

(c) That any other relief or reliefs for which the petitioner is entitled may be granted by this Hon'ble Court."

3. Learned counsel for the petitioner submits that inspite of the petitioner having filed his representation before the Secretary, Scheduled Caste/Scheduled Tribe welfare, Welfare Department (respondent no.2) for the redressal of his grievances as prayed for in the instant writ application, neither any response has been received by the petitioner from the respondent concerned nor has he been granted the benefits of 1st and 2nd MACP on completion of 10 years and 20 years of service.

4. In view of the facts and circumstances of the case, the petitioner is directed to file a fresh representation before the respondent no.2 within a period of four weeks with respect to his pending grievances.

5. On such a representation being filed, the respondent no.2 shall decide the same in accordance with law within a period of two months from the date of its filing and pass an



order thereupon.

6. The consequential benefits found payable to the petitioner shall be paid within a period of two months from the date of passing of the order.

7. In case the representation of the petitioner does not find favour with the respondent concerned, a reasoned order shall be communicated to the petitioner within the aforesaid period.

8. The writ application stands disposed of with the above observations and directions.

(Partha Sarthy, J)

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