

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6621 of 2026

Most Ram Rati Devi w/o late Lal Bihari Ram, Resident of village and Post office Belaundi, police station - mohania, District kaimur(Bhabhua).

... .. Petitioner/s

Versus

1. The state of Bihar through the secretary department of land and revenue government of Bihar patna.
2. The divisional commissioner Magadh division Gaya Ji.
3. The District collector cum the district magistrate Gaya Ji.
4. The Sub divisional officer Sadar Gaya Ji, District- Gaya Ji.
5. The circle officer manpur, district Gaya ji.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Virendra Prasad, Advocate
For the State	:	Mr. Pankaj Kumar, (SC-12)
		Mr. Pramod Kr. Yadav (AC to SC-12)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-04-2026 Heard learned counsel for the petitioner and learned counsel for the State.

2. Learned counsel for the petitioner submits that the present writ petition has been filed for the following relief/s:-

“I. For that the petitioner filed a writ in the Nature of mandamus directing/commanding the respondents authority to pay the differential amount of arrears of salary on account of granted promotion i.e. 2nd ACP/ 3rd MACP of the petitioner’s husband vide Memo no.08/ dt 03.02.2021. w.e.f 31.05.2008 and 31.05.2014. i.e. annexure p/1 with panel interest @18% from delayed payment in the



light of law laid down by this Hon'ble court in case of Lilawati Mishra vs the state of Bihar and others reported in PLJR 2022(2) Page 671 the husband of the petitioner died in service on 29.11.2021.

II. For directing the respondent authorities to provide the details of the calculation chart on account of promotion i.e. 2nd and 3rd ACP/MACP w.e.f 31.05.2008 and 31.05.2014 vide memo no 08 dt 03.02.2021.

III. For that any other relief or reliefs for which the petitioner is entitled may be granted by this Court.”

3. Learned counsel for the petitioner further submits that the petitioner has filed a representation *vide* Annexure-P/4, but no decision has been taken by the authorities concerned (The District Magistrate, Gaya) as yet.

4. Learned counsel for the State submits that the benefit of ACP and MACP has been granted to the petitioner's husband.

5. It transpires to this Court that the petitioner's representation (Annexure-P/4) is pending before the District Magistrate, Gaya (Respondent no.3). As such, the District Collector-cum-District Magistrate, Gaya Ji (Respondent no.3) is hereby directed to pass a reasoned and speaking order with



regard to the claim of the petitioner made in her representation
vide Annexure-P/4.

6. It is made clear that this Court has not expressed any view on law, therefore, the District Collector-cum-District Magistrate, Gaya Ji (Respondent no.3) shall at the time of passing the order, carefully consider the applicability of the law to the petitioner and shall pass a reasoned and speaking order in accordance with law within 90 days from the date of receipt of a copy of this order.

7. Accordingly, with the aforesaid direction, this writ petition stands disposed off.

(Dr. Anshuman, J)

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