

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11926 of 2021

Vishnu Bhagwan Rai son of Girija Rai resident of Village- Kharauna Tarari,
P.S.- Karath, District- Bhojpur at Arrah.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The D.I.G. of Police, Shahabad Range, Dehri-on- Sone.
4. The S.P., Bhojpur at Arrah.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ram Hriday Prasad, Advocate
For the Respondent/s	:	Md. N.H. Khan (Sc1)
		Ms. Babita Kumari, AC to SC- 1

CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL ORDER

4 03-04-2026 Heard learned counsel for the parties.

2. The petitioner, who was appointed as Constable in the District Police in Bhojpur district on 08.01.1982, promoted to the post of Hawaldar and Reserve Sub-Inspector of Police in the year 1989 and 2016 respectively and finally retired on 31.01.2018 on attaining the age of superannuation from the post of Reserve Sub-Inspector of Police has filed this writ petition praying for direction to the respondents for grant of 2nd A.C.P. from 26.04.2007 and 3rd M.A.C.P. from 08.01.2012.

3. Respondent-State has filed a counter affidavit through the respondent No. 4, who, in the said counter affidavit in paragraph Nos. 6 and 7, has stated as under:-



“6. That Sergeant Major Bhojpur vide Memo No. 5002/R.O. has reported that Petitioner is getting 2nd ACP from 26.04.2007 through Buxar district order No. 1185/07 which has been mentioned in Petitioner Service Book.

7. That the Petitioner nomination proposal for third MACP has been recommended vide Letter No. 6273/R.O. dated 13.10.20 and has been sent for MACP Board.”

4. From perusal of paragraph Nos. 6 and 7 of the counter affidavit filed by the respondent No. 4, as extracted hereinabove, it appears that the petitioner has been paid the 2nd A.C.P. from 26.04.2007 and that proposal for grant of 3rd M.A.C.P. to the petitioner has been recommended vide Letter No. 6273/R.O., dated 13.10.2020, and sent to the MACP Board.

5. As noted hereinabove, since the petitioner has already been paid the 2nd A.C.P. from 26.04.2007, the first relief sought for by the petitioner does not require adjudication. Insofar as the second prayer made by the petitioner for grant of 3rd M.A.C.P. from 08.01.2012 is concerned, since it has been stated by the respondent authorities that the same has been recommended vide Letter No. 6273/R.O., dated 13.10.2020 and has been sent to the MACP Board for consideration, the writ petition shall stand disposed of with a direction to the respondents to finalize the entitlement of the petitioner with



regard to the 3rd M.A.C.P. as claimed by the petitioner, which has been recommended vide Letter No. 6273/R.O., dated 13.10.2020 and sent to the MACP Board, as expeditiously as possible and in any case not later than 60 days from the date of receipt of a certified copy of the order.

6. The writ petition stands disposed of in terms above.

(Nani Tagia, J)

Siddharth
Sagar/-

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