

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.814 of 2021

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Ganga Dayal Prasad Singh S/o Late Deep Narayan Singh Resident of Village and P.O.-Jalpura (Tapa), P.S.-Narhi Chandi, District-Bhojpur (Ara) Presently Residing at Vevekanand Road No.-2, Adarsh Colony, P.O.-Keshri Nagar, P.S.-Shastri Nagar, District-Patna-24.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Old Secretariat, Patna.
2. The Principal Secretary, Water Resources Department, Government of Bihar, Sinchai Bhawan, Patna.
3. The Chief Engineer, W.R.D./ Minor Irrigation, Patna.
4. The Deputy/Under Secretary, W.R.D., Government of Bihar, Sinchai Bhawan, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Surendra Mishra, Advocate Mr. Rajivranjan Pandey, Advocate Ms. Rachana Shukla, Advocate
For the Respondent/s	:	Mr. Rajan Prakash, AC to GA 2

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 16-07-2026

Heard learned Advocate for the petitioner and the learned Advocate for the State.

2. The petitioner is aggrieved with the order dated 24.01.2019 issued by the Water Resources Department, Government of Bihar under the signature of Under Secretary (Management) vide Memo No. 265 dated 24.01.2019 so far it relates to the petitioner whereby and whereunder claim of the petitioner for granting 3rd ACP/MACP has been rejected on erroneous ground.



3. Adverting to the facts narrated in the writ petition, learned Advocate for the petitioner submitted that the entire case of the petitioner is based upon the parity with that of Dilip Kumar Srivastava in whose case the learned Single Judge has taken note of the decision of the General Administration Department dated 24.05.2011 and clearly observed that the claim of the petitioner apparently could not have been rejected by assigning the reason that he could not possess requisite benchmark 'very good'. In such circumstances the Court further directed the authority to issue necessary direction for grant of the identical relief. The matter has traveled up to the learned Division Bench in Letters Patent Appeal no. 41 of 2022 and the order of the learned Single Judge stood affirmed.

4. Referring to the aforementioned decisions, learned Advocate for the petitioner thus submits that since the case of the petitioner is identical and fully covered with the decision referred herein above, and identical relief must be accorded to the petitioner.

5. A supplementary counter affidavit has been filed on behalf of the State respondents taking a fair submission that in light of the letter issued by the General Administration Department as well as the decision passed in the LPA No. 41 of



2022, the matter was placed before the Screening Committee in its meeting held on 07.05.2026. Upon due consideration, the Committee was pleased to grant 3rd MACP to Dilip Kumar Srivastava with effect from 24.03.2009. Therefore, as directed further action is being undertaken to consolidate all similar matters including that of the petitioner and place them before the next meeting of the Departmental Screening Committee. It is further contended that the decision of the Committee shall be communicated in the due course and if the claim of the petitioner finds identical and favorable, similar relief must be accorded to the petitioner.

6. Having considered the submissions advanced by the learned Advocate for the respective parties and taking note of the fact that the impediment on account of which the claim of the petitioner was rejected, has no more survived in view of the clarification made by the General Administration Department as well as the decision passed by the learned Division Bench in LPA No. 41 of 2022, this Court deems it fit and proper to set aside the impugned order as contained in Memo No. 265 dated 24.01.2019 and further directed the concerned authorities to place the case of the petitioner in the next meeting of the Departmental Screening Committee along with others and take



appropriate decisions expeditiously but not beyond the period of three months.

7. With the aforesaid direction, the present writ petitioner stands disposed off.

8. Suffice it to observe that in case the claim of the petitioner finds favor, necessary consequential monetary benefits must be accorded within the period stipulated.

(Harish Kumar, J)

siddharth/-

AFR/NAFR	NAFR
CAV DATE	NA
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