

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9284 of 2024

Tripurari Sharan son of Late Narayan Das, resident of Village Bochahi, Kalarampur, Near Kali Mandir, Uttar Tola, Jamalpur, P.S.- Jamalpur, District-Munger.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Revenue and Land Reforms Department, Bihar, Patna.
2. The Joint Secretary to the Government, Revenue and Land Reforms Department, Bihar, Patna.
3. The Secretary, (Resources), Finance Department, Government of Bihar Patna.
4. The Divisional Commissioner, Munger Division, Munger.
5. The Collector, Munger.
6. The District Treasury Officer, Munger.
7. The Circle Officer, Tetiabamber, District- Munger.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Indu Bhushan, Adv.
For the Respondent/s : Mr.Santosh Chandra Bhaskar, AC to GP11

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 12-02-2026 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 with the following reliefs:-

“That this writ application is directed for issuance of an appropriate writ in the nature of Mandamus commanding the responsible respondents for a direction to give benefit of M.A.C.P. to the petitioner w.e.f. 01.04.2015 considering the representation dated 11.08.2023 (contained in Annexure-1) of the petitioner, on the very ground that the petitioner has completed his service of 30 years and other



employees in the district of Munger under the control of the Collector, Munger have been given benefit of M.A.C.P.”

3. Counsel for the petitioner further submits that the petitioner was superannuated from his service after completion of 30 years on 31.03.2024. He further submits that the benefit of MACP has not been granted to the petitioner and his representation is pending vide Annexure-1 of the writ petition, on which no decision has been taken by the concerned authority till date.

4. Counsel further submits that the Co-ordinate Bench of this Court vide order dated 07.05.2025 passed in C.W.J.C. No.8520 of 2024 in case of *Ashwini Kumar Vs. the State of Bihar & Ors.*, has pleased to held that “merely pendency of the departmental or criminal proceeding would not be an impediment for grant of the benefit of ACP/MACP scheme”.

5. Counsel for the State raised preliminary objection and submits that Annexure-R/2 is the Resolution dated 06.11.2003 in which grant of benefit to the petitioner has been guided by the said Circular.

6. Upon specific query, whether any order has been passed on the petitioner’s representation, then he submits that as per his knowledge, no decision has been taken till date.

7. In the light of the submissions made, the present



writ petition is hereby disposed off directing the petitioner to file a fresh representation again raising all his grievances before the Collector (respondent No.5) within 30 days along with this order. Since the representation is pending from the year 2003, therefore, the respondent No.5 shall pass a reasoned and speaking order within 90 days after receiving the same.

8. With the aforesaid directions and observations, the present writ application stands disposed off.

(Dr. Anshuman, J)

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