IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15805 of 2026

CNR No. BRHC011042282026

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Rameshwar Poddar S/o Late Avadh Bihari Poddar, Resident of Laheriaganj, P.S.-Madhubani, District- Madhubani.

... ... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, the Department of Secondary Education, Government of Bihar, Patna.
2. The Director, Secondary Education, Bihar, Patna.
3. The Regional Deputy Director, Darbhanga Division, Darbhanga.
4. The District Programme officer (Establishment), Madhubani.
5. The District Education Officer, Madhubani.

... ... Respondent/s

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Appearance :
For the Petitioner/s : Ms. Anju Jha, Advocate
For the Respondent/s : Mr. Amit Kumar Singh, AC to GA- 22

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CORAM: HONOURABLE MR. JUSTICE KUMAR MANISH

ORAL ORDER

2 27-10-2026 Heard learned counsel for the petitioner and learned AC to GA-22 for the State.

2. With the consent of the parties, the present writ application is being disposed of at this stage.

3. The petitioner has preferred this writ application for a direction to Respondent authorities to grant of Third Financial Progression under the MACP Scheme, 2010 w.e.f. 24.03.2014 in PB-2 (Rs. 9300-34800) with a grade pay of Rs. 4800/- along with all consequential benefits and also for the arrears of salary from 20.06.1984 to 20.09.1988 in lieu of work done by the petitioner on the post of Clerk in the office of the District

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Superintendent of Education, Madhubani.

4. The petitioner was appointed on the post of Peon in the office of the District Superintendent of Education, Madhubani on 19.07.1978. The petitioner thereafter was appointed on the post of Clerk in the year 1984. The petitioner services was extended from time to time and finally the petitioner's services on the post of Clerk was followed by the substantive appointment in the year 1988 since then the petitioner is working and finally she retired on 31.12.2017 from the post of Clerk.

5. During his services, the petitioner was granted the benefits of 1st and 2nd A.C.P.

6. The only grievances of the petitioner in the present writ application is for the grant of 3rd MACP under the MACP Scheme, 2010 and for arrears of salary from 20.06.1984 to 20.09.1988 for which the petitioner had earlier represented before the concerned authorities.

7. It is submitted on behalf of the petitioner that the Respondent No. 2 (The Director, Secondary Education, Bihar, Patna) may be directed to adjudicate the claim of the petitioner with regard to the grant of 3rd MACP as well as for arrears of salary from 20.06.1984 to 20.09.1988 for which the petitioner is

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ready to file the fresh representation.

8. Learned counsel for the State submits that the petitioner may be directed to file a fresh representation providing details of his service profile along with supported materials for adjudication of his claim for grant of 3rd M.A.C.P as well as for arrears of salary from 20.06.1984 to 20.09.1988

9. Considering the above, petitioner is directed to file a fresh representation before the Respondent No. 2 (The Director, Secondary Education, Bihar, Patna) along with all supportive documents within a period of four weeks from today.

10. If such representation is filed within the stipulated time, the Respondent No. 2 (The Director, Secondary Education, Bihar, Patna) shall dispose of the same within a period of eight weeks from the date of receipt of this representation.

11. It is needless to emphasize that the final order which shall be passed by the Respondent No. 2 (The Director, Secondary Education, Bihar, Patna) should be a reasoned and speaking order. Opportunity of hearing should be given to the petitioner.

12. It is further clarified that if the Respondent No. 2 (The Director, Secondary Education, Bihar, Patna) comes to the conclusion that the petitioner is entitled for the relief as claimed

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in the representation then the same should be extended to the petitioner within four weeks from passing of the final order.

13. With the above observation/direction and liberty as granted, the present writ application stands disposed of.

(Kumar Manish, J)

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