

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P. (S) No. 1763 of 2021

Jai Shankar Prasad

... **Petitioner**

Vs.

1. The State of Jharkhand through the Secretary, Department of Agriculture, Animal Husbandry & Cooperatives, Govt. of Jharkhand, Doranda, Ranchi
2. The Registrar, Cooperative Societies, Government of Jharkhand, Pashupalan Bhawan, Hesag, Hatia, Ranchi
3. The Accountant General, Jharkhand, Ranchi, Doranda, Ranchi

... **Respondents**

CORAM: THE HON'BLE MR. JUSTICE DR. S.N.PATHAK

For the Petitioner	:	Mr. Rahul Kumar, Advocate Ms. Apoorva Singh, Advocate
For the Respondent-State	:	Mr. S. U. Sahai, AC to SC
For A/G		Dr. A.K.Singh, Advocate Mr. Shivam Singh, Advocate

04/ 30.06.2022 The petitioner has approached this Court with a prayer for a direction upon the respondents to grant and pay the benefits of the 2nd Modified Assured Career Progression (MACP) to the petitioner in terms of the Resolution of the Finance Department dated 01.09.2009 from the due date of eligibility and completion of 20 years of service. Further, prayer has been made for a direction upon the respondents to release the entire consequential arrears of difference of salary and to recompute the retiral dues such as the difference of gratuity amount, the difference of leave encashment and arrears of difference of pension from the date of retirement to till date.

At the very outset, learned counsel for the petitioner submits that though the representation of the petitioner is pending before the respondents, but the respondents have neither shown any consideration nor any orders have been passed. Suffice, it would be if a direction be given to the respondents to dispose of the pending representations of the petitioner.

Per contra, counter-affidavit has been filed on behalf of the respondents. However, learned counsel for the respondents very fairly submits that the respondents will pass a reasoned order on the pending representation of the petitioner and if the petitioners are found entitled for the said benefit, the same shall be extended to the petitioner, in accordance with law.

In view of the submissions made by the learned counsel for the

parties, without going into the merits of this case, I hereby direct the petitioner to file a fresh representation annexing all the relevant documents on which he is relying on along with a copy of this order before the respondent concerned, within a period of three weeks from the date of receipt of a copy of this order. On receipt of such representation, the respondent concerned is directed to consider the case of the petitioner and pass a reasoned order on the representation of the petitioners, in accordance with law within a period of six weeks thereafter.

Needless to say that if the petitioner is found entitled for the aforesaid benefits, the same shall be extended to him with all consequential benefits, within a further period of three weeks. If the case of petitioner is turned down for one or other reasons, same shall be communicated to them, within a further period of two weeks.

With the aforesaid directions, this writ petition stands disposed of.

(Dr. S.N. Pathak, J.)

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