

(2025) 11 JH CK 1998

In the Jharkhand High Court

Case No : Writ Petition (S) No. 3851 Of 2024

Raees Ahamad, son of Abdul Rajak Khan

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision : 25-11-2025

Acts Referred:

Citation : (2025) 11 JH CK 1998

Hon'ble Judges : Ananda Sen, J

Bench : Single Bench

Advocate : A.K. Rashidi, Afaq Rashidi, Md. Aam, Aulia Begum, Mithilesh Singh

Final Decision : Disposed Of

Judgement

Ananda Sen, J

1. Heard learned counsel representing the petitioner and learned counsel representing the respondents.

2. In this writ petition, the prayer of the petitioner is to grant benefits of ACP and MACP, on the ground that he has completed his 41 years of service on 30.12.2006. Further prayer of the petitioner is for direction upon the respondents to decide his representation, which he had filed seeking the aforesaid benefits by ventilating his grievance.

3. Learned counsel representing the petitioner submits that the petitioner has been granted only one promotion in his entire stint. He submits that suffice it would be, if a direction is given to the respondents to dispose of the representation of the petitioner in terms of the Scheme floated by the State, which covers granting of ACP and MACP. He prays that if the respondents find that the petitioner is entitled for any benefit including the monetary benefit, a direction may be given to disburse the same to the petitioner.

4. Learned counsel representing the respondent – State submits that if the petitioner files a fresh representation, his case will be considered by respondent

No.3 – The Principal Chief Conservator of Forest, Government of Jharkhand, in accordance with law and an appropriate order will be passed.

5. Considering the aforesaid submission, I direct the petitioner to file a fresh representation before respondent No.3, along with all relevant documents, within three weeks.

6. On receipt of such representation, respondent No.3 is directed to decide the same, within six weeks.

7. If the petitioner is found entitle for any monetary benefit, the same should be extended to the petitioner within three weeks thereafter.

8. If any part of the claim / representation is rejected, the reasons thereof should be communicated to the petitioner.

9. The entire process should be completed within the aforesaid period.

10. Further, it is made clear that the ground of not possessing the educational qualification should not be an impediment for granting the said benefit, as it has been already held by the Hon'ble Supreme Court in the case of Amresh Kumar Singh & Ors. Vs. State of Bihar & Ors. reported in 2023 SCC OnLine SC 496 (decided on 25th April, 2023), that the benefit of ACP and MACP is nothing but upgradation of a scale, for which passing of requisite examination is not required.

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