
(2025) 03 JH CK 1373
In the Jharkhand High Court
Case No : WP(S) No.1535 Of 2025

Sukru Oraon

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision : 26-03-2025

Acts Referred:

Citation : (2025) 03 JH CK 1373

Hon'ble Judges : Ananda Sen, J

Bench : Single Bench

Advocate : Pradeep Kumar, Piyush Anand, Richa Sanchita

Final Decision : Disposed Of

Judgement

Ananda Sen, J

1. In this writ petition, the petitioner has made the following prayers:

(i) for issuance of an appropriate writ(s)/order(s)/direction(s) commanding upon the respondents to give benefit of Third MACP after 30 years of service i.e. from 20.02.2016 as per Government order contained in memo no. 2981 dated 01.09.2009 with statutory benefit as well as penal interest to the petitioner, who superannuated from the post of Havildar on 01.05.2023 from Dhanbad District on attaining the age of 60 years

(ii) to revise his pension, gratuity, leave encashment according to benefit of third MACP which was not paid to the petitioner.

2. It is the case of the petitioner that 3rd MACP has not been paid to the petitioner though he has completed 30 years of service and superannuated from the post of Hawaldar without any promotion.

3. Learned counsel for the petitioner submits that suffice it would be at this stage if a direction is given to the respondents to consider the case of the petitioner for grant of 3rd Modified Assured Career Progression (MACP) as the petitioner was

not regularly promoted and is entitled to receive the said MACP.

4. Learned counsel for the State submits that if the petitioner files a fresh representation before respondent no. 3 his case will be considered by him or by an appropriate Committee within reasonable time.

5. Considering the specific submission of the parties, I direct the petitioner to file a fresh representation before the respondent no. 3 who will consider the case of the petitioner. If it is necessary, claim of the petitioner must be placed before the Authority or the Committee concerned who will take an appropriate decision.

6. The representation should be filed within four weeks and the decision should be taken within eight weeks thereafter.

7. If it is found that the petitioner is entitled for any relief the same should be extended to the petitioner. If the claim of the petitioner is rejected for any reasons whatsoever the reasons should be communicated to the petitioner within a period of four weeks thereafter.

8. This writ petition is disposed of.