

IN THE HIGH COURT OF JHARKHAND AT RANCHI  
**W.P.(S) No. 551 of 2026**

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Satyendra Narayan Sharma (Retd), aged about 65 years son of Late Raj Kumar Sharma, resident of Belarota, near G.L. College, Daltonganj, P.O. & P.S. Daltonganj (Medininagar) District Palamau Jharkhand-822101.(M) 9431159312

**....Petitioner**

**Versus**

1. The State of Jharkhand through the Secretary Department of Finance, Government of Jharkhand having its office at Project Bhawan Dhurwa, P.O. & P.S. Dhurwa District Ranchi, Jharkhand. PIN-834004.
2. The Secretary, Road Construction Department (R.C.D), Govt. of Jharkhand, having its office at Project Bhawan Dhurwa, P.O. & P.S. Dhurwa District Ranchi, Jharkhand. PIN- 834004.
3. The Superintending Engineer, Road Construction Department (R.C.D), Road Circle Daltonganj Jailhata,P.O.& P.S Daltonganj, District Palamau Jharkhand -822101.
4. The Executive Engineer, Road Construction Department (R.C.D.) Road Division Daltonganj Near Town Thana, P.O.& P.S Daltonganj, District Palamau, Jharkhand-822101

**.. Respondents**

**CORAM: HON'BLE MR. JUSTICE DEEPAK ROSHAN**

For the Petitioner(s) : Mr. Sahadeo Choudhary, Advocate  
 For the Resp.-State : Mr. Suresh Kumar, SC(L&C)-II

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**04/13.05.2026**

Heard learned counsel for the parties.

**2.** The instant writ application has been preferred by the petitioner for the following reliefs:

*(i) For quashing/setting aside of Memo No. 69 dated 23.01.2017 (Annexure-8) issued by Respondent No. 3 in compliance of order dated 22.07.2015 passed in W.P(S) No. 7114 of 2006 whereby and where under the illegal decision has been taken for fixation of ACP/MACP by shifting to the petitioner for 9 years 09 months 16 days in pursuant to the Finance Department Resolution No. 1779 dated 21.04.2014 as the said Resolution is effective with immediate effect i.e. 21.05.2014 not from the retrospective date whereas the petitioner's case is prior to the said resolution.*

*(ii) For quashing and setting aside Office Order/Memo No.77 dated 14.12.2023 (Annexure-8/ 1) issued by Respondent No.2 by which pay scale with 1<sup>st</sup> ACP of Rs. 9300-34800/- GP-4200 with effect from 25.08.2011 Level- 6 and 2<sup>nd</sup> ACP of Rs. 93000-348000/- GP-4600 Level-7 with effect from 17.09.2020 to the petitioner along with others has been sanctioned by illegal shifting of period of 09 years 09 months 16 days*

*(iii) Be pleased to direct the respondents to grant the benefits of 1<sup>st</sup>, 2<sup>nd</sup> ACP and 3<sup>rd</sup> ACP with effect from his due dates after completion 10/20/30 years of service with effect from 09.08.1999, 29.05.2007,29.05.2017 to the petitioner as granted to him in view of in view of Memo no. 258 dated 14.05.2004 but subsequently cancelled by Memo No. 672 dated 25.10.2006 in*

*pursuant to Resolution No. 1779 dated 21.05.2014 and in defiance of the Hon'ble High Court's Order dated 22.07.2015 passed in W.P(S) No. 7114 of 2006 by Mr.Justice Rongon Mukhopadhaya wherein the petitioner was also one of the parties in that writ petition W.P(S) NO. 7114 of 2006 challenging the said decision, whereas one of the petitioner's namely Dhiren Ram has been given all benefits of 1<sup>st</sup>, 2<sup>nd</sup> ACP and 3<sup>rd</sup> MACP from due dates of his entitlement who preferred cont.(c) petition no. 704 of 2015 (Annexure-4).*

*(iv) And also be pleased to direct the respondents' authorities to make payment of arrears of the consequential benefits as well as recovered amount from the petitioner with statutory interest there upon for delayed payment thereof.*

**3.** At the outset, learned counsel for the petitioner submits that the petitioner is entitled to the benefit of ACP/MACP in view of the judgment passed by Hon'ble Apex Court in the case of **Amresh Kumar Singh Vs. State of Bihar**<sup>1</sup>; as such, the instant writ application may be disposed of with liberty to the petitioner to file a detailed representation before the concerned respondent.

**4.** Learned counsel for the respondents submits that since no counter-affidavit has been filed in this case; as such, the petitioner may be directed to approach the respondent no. 3 by filing a detailed representation for redressal of his grievance.

**5.** Having regard to the fair submission made by learned counsel for the parties, the instant writ application is hereby disposed of by directing the petitioner to file fresh representation before the respondent no. 3.

The moment, the 3<sup>rd</sup> respondent receives the representation of the petitioner, he shall decide the issue of

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<sup>1</sup> 2003 SCC OnLine SC 496

ACP/MACP benefit strictly in view of the judgment rendered by Hon'ble Apex Court in the case of **Amresh Kumar Singh (Supra)** and pass an order within a period of 12 weeks from the date of receipt of such representation in accordance with applicable rules and communicate the same to the petitioner and if the case of the petitioner is found favourable, necessary order be passed within a further period of 8 weeks.

**6.** It goes without saying that while passing the fresh order pursuant to the fresh representation the concerned respondent shall not be prejudiced by the impugned order and shall pass the order strictly in accordance with law and applicable rules and regulations.

**7.** As a result, the instant writ application is disposed of.

**(Deepak Roshan, J.)**

13<sup>th</sup> May, 2026

*Jk*  
*Uploaded on*  
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