

departmental examination is not necessary for getting the benefits of MACP in view of the judgment rendered by the Hon'ble Apex Court and as such, similar direction may be given.

4. Having heard learned counsel for the parties and after going through the records, it appears that the similar issue was raised before the Co-ordinate Bench in *W.P.(S). No. 953 of 2026 (Dayanand Prasad & Ors. Vs. the State of Jharkhand & Ors.)* and the case was decided in favour of the petitioners of that case on the same line that necessary educational qualification should not come on the way of petitioner in getting situ promotion.

5. Accordingly, the respondent No. 3 is directed to verify the records of the case and grant necessary benefits of MACP by changing the date from 06.08.2016 to 10.06.2012 as the petitioner has completed 10 years of service on 10.06.2012 and as per MACP Scheme, the petitioner is duly entitled for the same and educational qualification cannot come in the way of getting the benefits of MACP.

6. The respondents are directed to rectify the date for grant of MACP benefits and extend the consequential benefits to the petitioner within a period of 10 weeks from the date of receipt/production of a copy of this order.

7. In the result, the instant writ application stands allowed.

(Deepak Roshan, J.)

28th April, 2026

kunal/-

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