

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14441 of 2006

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Ramesh Singh, son of late Murli Singh, resident of village-Kathiyani Police Station-Jalalpur, District-Saran (Chapra)

.... Petitioner/s

Versus

1. The State of Bihar
2. The Director General of Police (D.G.P), Bihar, Patna.
3. The I.G., Welfare, Bihar, Patna.
4. The A.I.G., Welfare, Bihar, Patna.
5. The Regional Inspector General of Police, Patna.
6. The Regional Inspector General of Police, Magadh, Gaya.
7. The Accountant General, Bihar, Patna.
8. The Director/Deputy Director, Provident Fund, Bihar, Patna.
9. The Superintendent of Police, Sitamarhi.
10. The Superintendent of Police, Gaya.
11. The Superintendent of Police, Aurangabad.
12. The Treasury Officer, Sitamarhi.
13. The Treasury Officer, Saran (Chapra)

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jiwan Prakash Sinha

For the Respondent/s : Mr. A.K.Keshri, AAG-XI

Mr.Ujjwal Kumar Sinha, AC to AAG-IX

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 13-01-2015 Heard the parties.

Though, the petitioner has superannuated from service from the post of Assistant Sub-Inspector of Police with effect from 30.06.2004, yet he has filed the present writ petition on 27.11.2006 for various reliefs enumerated in paragraph 1 of the writ petition, particularly for grant of benefits of ACP, for grant of retirement dues and other financial benefits as also for grant of his promotion on the higher post of Sub-Inspector of Police.

Separate counter affidavits have been filed on behalf of the respondent nos.7 and 13, respondent no.9 and respondent no.10, wherein it has been stated that most of the grievances raised on behalf of the petitioner have been redressed.

Learned Ac to AAG-XI appearing on behalf of the respondents has fairly submitted that for remaining grievances the petitioner may be directed to file a representation before the respondent no.3 which shall be considered in accordance with law.

Learned counsel appearing on behalf of the petitioner has also submitted that the other grievances of the petitioner have already been redressed by the respondents during the pendency of the present writ petition. However, the claim of the petitioner for grant of his promotion on the higher post from specified date and payment of consequential benefits have not been considered and decided till date.

In above view of the matter, this Court is of the opinion that, instead of keeping the writ petition pending before this Court, interest of justice shall be sub-served, if the petitioner is granted liberty to file a comprehensive representation with all supporting documents with respect to remaining grievances before the respondent no.3, raising all the points, which have been raised in the present proceeding with respect to such remaining grievances. It is ordered accordingly.

If such a comprehensive representation is filed by the petitioner within a period of one month from today with a certified copy of the present order, then the respondent no.3 either himself or any other competent authority of the respondent State shall be obliged to consider and decide the claims raised on behalf of the petitioner strictly in accordance with law by a reasoned and speaking order at an early date preferably within a period of three months from the date of filing of such comprehensive representation by the petitioner. If on consideration of the materials, the respondent no.3 or any other competent authority of

the respondent State comes to a conclusion that the aforesaid remaining claims raised on behalf of the petitioner are admissible to him, then the consequential orders shall also be issued for grant of such admissible claims without any unnecessary further delay.

It is clarified that this Court has not gone into the merits of the claims raised on behalf of the petitioner in the present writ petition and the same is left to be decided by the competent authority strictly in accordance with law.

The writ petition stands finally disposed of with the observations and directions made above.

(Birendra Prasad Verma, J)

Arvind/-

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