

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12946 of 2008

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JAI NANDAN SINGH, SON OF LATE RAM ANUP SINGH, RESIDENT OF VILLAGE
GANDHI SETU LINK ROAD, NEAR TELEPHONE EXCHANGE, POST OFFICE
ALAMGANJ, PATNA Petitioner

Versus

1. THE STATE OF BIHAR THROUGH THE CHIEF SECRETARY, BIHAR
 2. HOME COMMISSIONER BIHAR
 3. VIGILANCE COMMISSIONER BIHAR
 4. FINANCE COMMISSIONER BIHAR
 5. DIRECTOR GENERAL OF POLICE CUM INSPECTOR GENERAL OF POLICE,
BIHAR
 6. ADDL. DIRECTOR GENERAL, VIGILANCE, BIHAR. Respondents
- =====

Appearance :

For the Petitioner/s : Mr. Gopal Shankar Prasad
For the Respondent/s : Mr. (Ga3)
Mr. Rakesh Kr.(Spl.Pp)Vig.

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

4 09-03-2016 The petitioner seeks promotion to the post of junior selection grade in the cadre of Inspector of police with seniority over Sri Sarda Nand Singh who was his immediate junior with effect from 1.1.1985. He further prays for grant of promotion to the senior selection grade in the cadre of Inspector of police with effect from the date his juniors have been promoted.

The petitioner passed his matriculation examination in the year 1952. In the year 1955 he joined as a Matriculate constable (MC) in Darbhanga District police force on 4.8.1956. He received his police



training at Police Training College, Hazaribagh. In 1957 he was promoted to the rank of Assistant Sub Inspector with effect from 1.5.1964 and to the rank of Sub Inspector with effect from 17.5.1971 while he was on deputation in CBI, Patna branch. On 1.2.1974 he was repatriated to CID, Crime branch, Bihar, Patna. He was deputed to Vigilance department on 2.4.1975. He was made officiating inspector of police on 1.12.1977 on recommendation of the District Promotion Committee (DPC) and was confirmed on the post with effect from 1.4.1982. He retired from vigilance department on 31.12.1988.

Counter affidavit has been filed on behalf of the respondents. In paragraph 4 thereof, they state that it is not correct that Sharda Nand Singh was junior to the petitioner. In fact, the petitioner was 4 years junior to Sharda Nand Singh. Furthermore, ad-hoc promotion granted by the Vigilance Investigation Bureau to the petitioner has been struck down by the Hon'ble High

court in its judgment passed in Civil Review no. 131 of 1992 (C.W.J.C.No. 4884 of 1990).

In the facts and circumstances of the case, I do not find any merit in the writ petition. It is dismissed as such.

Shashi.

(Samarendra Pratap Singh, J)

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