

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9093 of 2011

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Jai Prakash Singh, son of Late Suraj Singh, resident of village- Chit
Bisraon, P.O. Semater, P.S. Guthari, Distt. Siwan

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Home Department,
Bihar, Patna
2. The Director General of Police, Bihar Patna
3. The Inspector General of Police, Patna Range, Patna
4. The Deputy Inspector General of Police, (Personal), Patna, Bihar
5. The Deputy Inspector General Of Police, Central Range, Patna
6. The Superintenden Of Police, Nalanda

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Prabhakar Singh, Adv.

For the Respondent/s : Mr. Anil Kr Upadhyay Sc20

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

6 10-02-2016 Heard Sri Prabhakar Singh, learned counsel for the

petitioner and Sri Anil Kumar Upadhaya, learned Standing

Counsel no.20.

The present writ petition was filed with a prayer to
direct the Respondents to consider the case of his promotion as
Sub Inspector of Police from the post of Assistant Sub-Inspector
of Police with effect from 03.09.2010. It was claimed that the
persons, whose names were below the petitioner in the
recommendation, have already been granted promotion with effect
from 03.09.2010, but the case of the petitioner was ignored.

In this case, a counter affidavit has been filed on behalf



of Respondent no.6 and a stand has been taken that case of the petitioner for promotion was considered and now he has been granted promotion as Sub-Inspector of Police with effect from 24.10.2011. However, it has been claimed by the petitioner that once, in similar circumstances, those persons, whose names were below the petitioner in the recommendation, have been granted promotion with effect from 03.09.2010, there is no reason to deny the same relief to the petitioner.

Learned counsel for the petitioner has drawn my attention to Annexure-A to the counter affidavit i.e. Memo No.151 dated 12.01.2016 issued under the signature of the Superintendent of Police, Nalanda addressed to the Dy. Inspector General of Police, Central Range, Patna, and it was submitted that even the Superintendent of Police has requested the Dy. Inspector General of Police to consider the claim of the petitioner and take a final decision in the matter.

In view of facts and circumstances, particularly the fact that the case of the petitioner has already been placed before the Dy.Inspector General of Police by the office of the Superintendent of Police, Nalanda, the writ petition can be disposed of with an observation that the Dy.Inspector General of Police, Central Range, Patna may take final decision in view of request made by

the Superintendent of Police vide Annexure-A to the Counter Affidavit preferably within a period of eight weeks from the date of receipt/production of a copy of this order and if there is no hurdle, the petitioner may be granted all consequential benefits. Even in case of refusal on the claim of the petitioner, the Dy.Inspector General of Police is required to pass a speaking order and communicate the same to the petitioner within the aforesaid time.

With above observation and direction, the writ petition stands disposed of.

(Rakesh Kumar, J)

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