

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17773 of 2008

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1. Yugeshwar Singh, son of Sri Chataru Singh, Resident of Village- Chmpapur, P.S. Bakhtiyarpur, District- Patna
 2. Lal Babu Roy, son of Late Ram Charittar Roy, Resident of village- Mahuabagh, P.S. Danapur, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary (Home) Police Department, Old Secretariat, Patna
2. The Director General of Police, Home Police Department, Government of Bihar, Main Secretariat, Patna ‘
3. The Deputy Inspector General of Police, Home Police Department, Central Range, B.M.P., Patna
4. The Additional Inspector General of Police (Personnel), Home Police Department, Government of Bihar, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Kishore, Advocate

For the Respondent/s : Mr. Hari Shankar, Assisting Counsel to PAAG-I

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL JUDGMENT

Date: 03-05-2017

Heard Mr. Shivendra Kishore, learned counsel appearing
for the petitioners and Mr. Hari Shankar, Assisting Counsel to PAAG-I.
I.

The petitioners pray for an appropriate direction to the
respondents to consider their cases for promotion to the rank of
Inspector of Police from the date their junior Gandhijee Singh was
promoted by order dated 21.12.2001.

While the petitioner No. 1, having been appointed as
constable on 5.11.1962, superannuated from the post of Sub-Inspector



of Police on 31.10.1999, the petitioner No. 2 superannuated from the post of Inspector on 1.11.2001. In other words, both these petitioners have superannuated before the order put to question was issued. Another aspect of the matter is that both these petitioners had earlier come before this Court in CWJC No. 9075 of 2002, as stated in para-23 of the instant writ petition and which writ petition was permitted to be withdrawn allowing the writ petitioners to pursue their remedy before the authority concerned, copy of such order is placed at Annexure-10 to the writ petition.

Once the matter has been contested before this Court and withdrawn by the petitioners with liberty to pursue the departmental remedy, there cannot be a second string of litigation.

The writ application is, accordingly, disposed of.

(Jyoti Saran, J)

S.Pandey/-

NAFR	NAFR
CAV DATE	NA
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