

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1594 of 2016
IN
Civil Writ Jurisdiction Case No. 18649 of 2013**

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Sanjeet Kumar Sinha son of Late Raj Banshi Prasad resident of Mohalla- New Chandmari, Durga Mandir, P.S. - Motihari Town, East Champaran, at Present Posted as S.I. of Police (Investigation Incharge), Danapur Police Station, District- Patna

.... Appellant/s

Versus

1. The State of Bihar through the Principal Secretary-Cum-Home Commissioner, Govt. of Bihar, Ministry of Home, Old Secretariat Building, Patna
2. The Home Secretary, Govt. of India, Ministry of Home, New Delhi
3. The Director General of Police- cum-Inspector General of Police, Bihar, Old Secretariat, Buiding, Patna
4. The Inspector General of Police, Tirhut Zone, Muzaffarpur.
5. The Deputy Inspector General of Police, Champaran Zone, Bettiah, Bihar
6. The Superintendent of Police, Bagaha, in the District of West Champaran at Bettiah, Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : None
For the State : Mr. Kinkar Kumar, SC-9
Mr. Mrigendra Kumar Singh, AC to SC-9

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 18-07-2017

None appears for the appellant. None had appeared on the last two dates also. However, learned counsel for the State is present.



We have heard learned counsel for the State and perused the records. The appellant was working in the Police Department and on account of certain act committed by him along with other police officials on 20th April, 2006 in an encounter with notorious criminal who was grievously injured the appellant's case was placed for considering grant of President's Police Medal for Gallantry as provided under Rule 660 of the Bihar Police Manual. The Screening Committee consisting of top police officials which included the Director General of Police sat over the matter and made recommendations for some cash award in certain cases. As the petitioner was not recommended by the Screening Committee for grant of Gallantry Medal, the writ petition in question was filed.

The learned Writ Court after considering various aspects of the matter found that the Screening Committee consisting of top police officials have not recommended the name of the petitioner for gallantry award in the backdrop of requirement of law and once the recommendation was not made by the said Committee, this Court, exercising its jurisdiction under Article 226 can not sit over the appeal and make any recommendation. Finding the Screening Committee to have acted in accordance with law in the matter of making recommendation, the writ petition has been dismissed. In doing so, we are of the considered view that learned



Writ Court has not committed any error warranting reconsideration.

The appeal stands dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Shageer/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	25/07/2017
Transmission Date	NA

