IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11253 of 2015

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Ram Ayodhya Singh Son of late Ram Surat Singh resident of Village-Harpur karah Purab Tola P.o Harpur Via+Police Station Baniapur, District Saran (Chapra)

... ... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary(Police) Home Department , Govt. Of Bihar, Patna.
2. The Director General of Police, Bihar, Patna
3. The Inspector General of Police, Bihar,Patna.
4. The Deputy Inspector General of Police, Military Police(North zone) Muzaffarpur
5. The Commandant, Bihar Military Police -6, Muzaffarpur. ... ... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bashishtha Narayan Mishra, Advocate
For the Respondent/s : Mr. Nasim Yahya, GP-13

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 14-09-2017 In the present writ application, the following relief has been sought for on behalf of the petitioner.

> "(1) That this application is being filed for issuance of a writ in the nature of certiorari or any other appropriate writ or writs quashing the order dated 24.7.2014 as contained in memo no.1549 passed and issued by the respondent no.5 by which the petitioner has not been given increment and consequential benefits after retirement on the ground that the petitioner was not entitled for the same because during his service period he had not passed Hindi Noting and Drafting examination."

As per the Letter No.3/R/1-101/1991 KAA-4674 dated

15.05.1992, the exemption from the examination can only be given to a person, who is in service. As far as the petitioner is concerned, he has claimed for said exemption, from the examination, after his superannuation from service. Considering the same, the order has been passed, which is under challenge in the present writ application. The petitioner has superannuated in the year 2002. He had preferred a writ application before the Hon'ble High Court in the year 2003, which was disposed of with a direction for considering the claim of the petitioner. In the light of the observations made in the said order, the order under challenge dated 24.07.2014 has been passed, which is Annexure-1 to the present writ application.

Since the petitioner had approached after his superannuation for such exemption from the examination, he cannot be granted the relief sought for.

In view of aforesaid, I find no merit in the present writ application. The same is dismissed.

(Sudhir Singh, J)

Narendra/-

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