

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.14761 of 2008

=====

Damodar Prasad Sharma, son of Late Raja Ram Sharma, resident of Mohalla Ali Nagar, Anisabad, (behind post office), P.S. Gardanibagh in the district of Patna.

.... Petitioner

Versus

1. The State of Bihar through the Director General and Inspector General of Police, Government of Bihar, Patna.
2. The Inspector General of Police, Crime Investigation Department, (C.I.D.), Old Secretariat, Government of Bihar, Patna
3. The Deputy Inspector General of Police, Crime Investigation Department (CID), Old Secretariat, Government of Bihar, Patna.
4. The Superintendent of Police, (C), CID, Old Secretariat, Patna.

.... Respondents

=====

Appearance:

For the Petitioner : Mr. Sunil Kumar
Mr. Navin Sharma, Advocates

For the Respondents : AC to GA4

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 03-07-2017

Heard learned counsel for the petitioner and learned counsel for the respondents.

2. The present writ petition has been filed by the petitioner claiming first Accelerated Career Progression (ACP) with effect from the date from which the petitioner is entitled pursuant to A.C.P. Rules, 2003; and for payment of arrears of salary pursuant thereto.

3. At the very outset learned counsel for the State submits that by order dated 13.11.2008, the claim of the petitioner has already been rejected by the Superintendent of Police (Annexure-A to the counter affidavit), inter alia, stating that the petitioner's claim is without merit inasmuch as he has already been granted two promotions in the past. It is further submitted



that against such order the petitioner ought to have approached the Director General of Police, Bihar, for redressal of his grievance.

4. Learned counsel for the petitioner has expressed that there will be no difficulty in filing an appropriate representation before the Director General of Police, Bihar, for consideration of his claim.

5. Having regard to the stand of the parties and with the consent of the petitioner the present writ petition is disposed of granting liberty to the petitioner to approach the Director General of Police, Bihar, with an appropriate representation within a period of four weeks from today. If any such representation is filed within the aforesaid period, the same shall be considered and disposed of by the Director General Police, Bihar after grant of opportunity of hearing to the petitioner expeditiously in accordance with law.

6. It is made cleat that this Court has not expressed any opinion whatsoever, on the merits of the petitioner’s claim.

7. I.A. No. 7068 of 2008 also stands disposed of.

(Vikash Jain, J)

Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	05.07.2017
Transmission Date	N.A.

