

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.961 of 2017

In
Civil Writ Jurisdiction Case No.9544 of 2016

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1. Pramod Kumar Pathak, Son of Late Radhakant Pathak, resident of Village & Post- Andhra, Police Station- Adapur, District- Motihari (East Champaran).
 2. Ramkumar Prasad, Son of Late Dinesh Prasad, resident of Village- Katharwa, Post- Harnatad, Police Station- Naurangea, District- West Champaran, Bettiah.
 3. Ranjit Ram, Son of Late Ram Chandra Ram, resident of Village- Sudiha, Post- Parsa, Police Station- Gauri Chak, District- Patna.
 4. Amleshwar Ram, son of Shivnandan Ram, resident of Izra, Post- Izra, Police Station- Sangrampur, District- Motihari (East Champaran).

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home (Police), Government of Bihar, Patna.
2. The Principal Secretary, Department of General Administration, Government of Bihar, Patna.
3. The Director General of Police, Government of Bihar, Patna.
4. The Inspector General of Police (HQ), Bihar, Patna.
5. The Inspector General of Police, (Bazat/Appeal/Welfare), Bihar, Patna.
6. The Deputy Inspector General of Police, Central Range, Patna.
7. The District Magistrate, Patna.
8. The Senior Superintendent of Police, Patna.
9. Pramod Kumar Mishra, Son of Late Balbhadra Mishra, Resident of village- Kewari, Post- Tajpur, Police Station- Khijar Sarai, District- Gaya.

... .. Respondent/s

Appearance :

For the Appellants	:	Mrs. Nivedita Nirvikar, Advocate
		Mr. Manoj Kumar, Advocate
For the Respondent State:		Mr. Suman Kumar Jha, AC to AAG3

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

10 14-05-2018 Heard counsel for the appellants and counsel for the
State.



If any instance of the people, who did not have intermediate qualification and who have been given promotion to Class-III post, comes to the knowledge of these appellants, they are free to bring to the knowledge of the competent authority, who have an obligation to ensure that no person, who is ineligible, and has been promoted contrary to 2013 Rules, continue to hold the promoted post. It is another matter that the State has taken categorical stand that a decision, which has been taken erroneously, have been now annulled, therefore, there is no grievance left. Despite the stand of the State the liberty, which has been given to the appellants, will subsist.

Appeal is otherwise dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

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