

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11954 of 2018

1. Dularchand Ram, Son of Late Tetar Ram, Resident of Village- Narayanpur, P.O.+P.S.- Chenari, District- Rohtas at Sasaram.
2. Hira Singh, Son of Late Baijnath Singh @ Baijnath, Resident of Village- Dherhara, P.O.- Badhauna, P.S.- Chainpur, District- Begusarai, at present BMP-5, Patna, Phulwari, B.V. College, Patna, District- Patna, Bihar- 800014.
3. Deepak Kumar, Son of Sri Ram Bachan Singh, Resident of Village+P.O.- Phulmalli, P.S.- Sahebpur Kamal, District- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. Secretary, Home (Police) Department, Bihar, Patna.
3. Secretary, Finance Department, Bihar, Patna.
4. Director General of Police, Bihar, Patna.
5. Addl. D.G. of Police, Military Police, Bihar, Patna.
6. D.I.G. of Police, Bihar Military Police, Central Zone, Patna.
7. Commandant, BMP-5, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ram Hriday Prasad
For the Respondent/s : Mr. S.K. Sharma, AC to AAG3

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL JUDGMENT

Date : 29-10-2018

Heard learned counsel for the parties.

As has been submitted by the learned counsel for the petitioners that their names are standing in the list of literate cadre but, are not being given the benefit of literate cadre nor they are taking the work of the literate cadre rather the work of general cadre is being taken from them.

Learned counsel for the petitioners submits that as the petitioners have remained in the literate cadre, they are not being promoted to the post of Hawaldar. If the petitioners will return to general cadre then there is every chance that they will be promoted to the post of Hawaldar as their juniors have already been promoted to the



post of Hawaldar. He has also drawn attention of this Court towards the letter dated 1.1.2013 with respect to certain persons, namely, Madan Tiwari, Dinesh Dubey and Diwan Meraj who were also in the literate cadre, made a prayer for transfer to general cadre and, accordingly, the authority passed the order on 1.1.2013, thereby they have been transferred to general cadre having been promoted to the post of Hawaldar, so the same treatment should also be given to the present petitioners.

In that view of the matter, let the petitioners should file an application before the Additional Director General of Police, Military Police, Bihar, Patna (Respondent No.5) who will examine the case of the petitioners and if others have been granted such benefit, then there is no reason that the petitioners should also be granted the identical benefit as has been granted to other persons.

The authority will take a decision within a period of three months from the date of filing of the application along with a copy of this order.

With the aforementioned observation and direction, this writ application is disposed of.

(Shivaji Pandey, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	31.10.2018
Transmission Date	

