

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11462 of 2014

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Kumar Rajanikant S/o Shri Suresh Prasad resident of at and P.O. Ekangarsarai
(Patel Nagar), P.S. Ekangarsarai, District- Nalanda, Bihar

.... Petitioner/s

Versus

1. The Union of India through the Secretary, Department of Home Affairs, North Block, New Delhi- 110001
2. The Director General, Central Reserve Police Force, null Department of Home Affairs, Govt. of India, C.G.O. Complex, Lodhi Road, New Delhi- 110003
3. The Inspector General (Personnel), Office of the Directorate Central Reserve Police Force, Department of Home Affairs, Govt. of India, New Delhi- 110003
4. The Inspector General, Central Reserve Police Force, Department of Home Affairs, Govt. of India, Bihar Sector Rajeev Nagar, Patna
5. The Deputy Director General, Central Reserve Police Force, Department of Home Affairs, Govt. of India, Bihar Sector, Rajeev Nagar, Patna
6. The Commandant, 47 Battalion Central Reserve Police Force, Koilwar, Ara, Bihar
7. The Staff Selection Commission (CR) Department of Personnel and Training, 8 A-B Beli Road, Allahabad, Uttar Pradesh
8. The Regional Director (CR), Staff Selection Commission 21-23, Lawther Road, Allahabad, Uttar Pradesh
9. The Deputy Director (Recruitment), Staff Selection Commission, Department of Personnel and Training, 8 A-B Beli Road, Allahabad, Uttar Pradesh

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar Pandey, Advocate
For the U.O.I : Mr. S.D. Sanjay, (Addl. SG)
Mr. Anshuman Singh, CGC

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 02-07-2018

Heard learned counsel for the petitioner and the respondent

Union of India.

2. The writ petition has been filed for quashing of the order
dated 10.05.2014 bearing memo no. P.VII-5/2014- Adm-1 whereby



the petitioner has been communicated rejection of his claim for reassignment of his seniority in compliance to or in accordance with the similar relief granted to the similarly situated person namely, one Navin Kumar Jha, the petitioner of writ petition bearing WP(c) No. 3827 of 2012. The order rejecting the petitioner's claim shows that the petitioner's claim for reassignment of seniority in compliance of the Court's order was placed before the DIG (Estt) Dte for needful vide letter dated 22.07.2013. In paragraph 2 of the impugned order it has been recorded as follows :

“However, no reply in this regard has been received from Directorate General”.

3. In spite of the fact that the petitioner's case has apparently not been considered as per the impugned order dated 10.05.2014 his claim has been rejected under communication which is impugned in the instant writ petition.

4. Since the issue has not been considered by the appropriate authority, this writ petition is disposed off with a direction to the respondent no. 2, the Director General, C.R.P.F., to take a final decision on the petitioner's claim for reassignment of seniority in light of the orders passed on the writ petition filed by Navin Kumar Jha details of which have been mentioned hereinabove.

5. This Court would only observe that since the claim of the



petitioner has been pending since 2013, the respondents may take a final decision in this matter expeditiously and preferably, within a period of eight weeks from the date of receipt/production of a copy of this order.

6. The order dated 10.05.2014 earlier communicating rejection of the petitioner’s claim shall not stand in the way of fresh consideration by the Competent Authority in terms of this order.

7. The writ petition is disposed off.

(Madhuresh Prasad, J)

Prakash/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

