

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16610 of 2016

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Ajit Bahadur son of Late Lal Bahadur resident of Village - Tar Bangla, Near
Irrigation Work Shop, Police Station Post - Office - Dehri, District - Rohtas.
... .. Petitioner/s

Versus

1. The State Of Bihar through Chief Secretary, Government of Bihar.
2. The Principal Secretary, Department of Home, Government of Bihar, Patna.
3. The Director General of Police, Bihar, Patna.
4. The Deputy Director General of Police, Bihar, Patna.
5. The Inspector General of Police, Bihar, Patna.
6. The Deputy Inspector General of Police, Shahabad Region, Dehri-on-son,
District - Rohtas.
7. The Superintendent of Police, Rohtas.
8. The Additional Director General of Police, H.Q., Govt. of Bihar, Patna
... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Pramod Rajpati, Advocate
For the Respondent/s : Mr.Partha Sarthi-Ga4

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL JUDGMENT

Date : 20-02-2019

Counsel for the petitioner is permitted to implead the The
Additional Director General of Police, H.Q., Govt. of Bihar as
respondent no. 8 in the instant writ petition.

Pursuant to selection process in the year 1998 the
petitioner finally came to be appointed as Constable on
19.09.2012. It is submitted by the petitioner's counsel that for
the delay of the respondent authorities in issuing the
appointment letter, the petitioner cannot be made to suffer. It is
submitted that under similar circumstances where appointment
letter was delayed in favour of one Munmun Tiwary, the
authorities have granted him seniority from the date of his



juniors as also other benefits including the benefit of pension under old pension Rules. The consequential benefits have also been made available by the respondent authorities, to the said Munmun Tiwary by Annexure 5 i.e., the order dated 13.02.2013 issued by the Deputy Inspector General of Policy, Sahabad Range, Dehri- On-sone. Claim of the petitioner for the same benefit has been forwarded to the A.D.G (Headquarter) by Annexure 7 dated 29.02.2016. The said claim of the petitioner has not been decided by the authorities till date.

In view of the petitioner's claim being based on the benefits granted to Munmun Tiwary, this Court would observe that if petitioner's claim is identical/similar to that of Munmun Tiwary the petitioner would also be entitled to the same benefits.

Let final decision be taken by the A.D.G (Headquarter) respondent no. 8 within a period of eight weeks from the date of receipt/production of a copy of this order. While considering the petitioner's claim the respondent authorities would be obliged to extend the same benefits to the petitioner as has been given to Munmun Tiwary keeping in view the provisions of Clause 4.C(1) of the Bihar State Litigation Policy, 2011 relating to covered matters, if there is no other legal impediment.



The writ petition is disposed off with the aforesaid
direction.

(Madhuresh Prasad, J)

Prakash/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

