

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5332 of 2019

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Pankaj Kumar Singh, aged about 35 years, Gender-Male, Son of Late Muneshwar Prasad Singh, Res. of Vill.- Rupas Mahaji, P.O.- Gyaspur Mahaji, P.S.- Bakhtiyarpur, Distt.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. 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

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Appearance :

For the Petitioner/s : Mr. Ram Hriday Prasad, Adv.

For the Respondent/s : Mr. Sheo Shankar Prasad (SC8)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL JUDGMENT

Date : 09-04-2019

Heard the learned counsel for the petitioner and the State.

2. The petitioner, who is a Constable in BMP-5, Patna, has approached this Court for the reason that he has neither been confirmed in the cadre of Literate Constables



which would have entitled him to financial progression after some years of service nor has he been given the benefits which is available to a non-literate Constables.

3. It has been submitted on behalf of the petitioner that he was appointed as a Constable in the year 2002 and after having exercised an option for the Literate Constable in the year 2003, he waited for several years for his confirmation in the cadre of Literate Constables. Till date, neither has his services in the Literate Constable Cadre been confirmed nor is he being treated as member of the Constables of general cadre who is entitled to be promoted to the post of *Havaldar*. The petitioner, now, is not interested in continuing in the Literate Constable Cadre and wants to shift/switch over to the cadre of general duty Constables, so that he could avail of the benefits of promotion which is available to other Constables of the general duty cadre. Several representations which have been filed by the petitioner before the various superior authorities have yielded no results.

4. Under the aforesaid circumstances, this Court



deems it appropriate to direct the petitioner to make a fresh representation along with a copy of this order before the Additional Deputy General of Police, Military Police, Bihar, Patna (respondent No. 5), within a period of four weeks from today, who, on receipt of the same, shall dispose off such representation by a reasoned order within a further period of six weeks thereafter.

5. With the aforesaid observation/direction, the writ petition stands disposed off.

(Ashutosh Kumar, J)

Praveen-II/-

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