

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23307 of 2019

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Manoj Kumar Son of Rajendra Prasad Yadav Ward No.09 Azad Nagar,
Madhepura, P.S.- Madhepura, District- Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary-cum-Principal Secretary, (Home) Department of Home, Government of Bihar, Sardar Patel Bhawan, Bailey Road, Patna.
2. The Additional Chief Secretary-cum-Principal Secretary, (Home) Department of Home, Government of Bihar, Sardar Patel Bhawan, Bailey Road, Patna.
3. Additional Secretary, Home Department, Government of Bihar, Sardar Patel Bhawan, Bailey Road, Patna.
4. The Departmental Promotion Committee through Member Secretary, Bihar Public Service Commission, Bihar, Patna.
5. The Director General of Police, Bihar, Patna, Police Head Quarter, Sardar Patel Bhawan, Bailey Road, Patna.
6. The Additional Director General of Police (Head Quarter) Sardar Patel Bhawan, Bailey Road, Patna.
7. The Additional Director General of Police (Special Branch), Bihar, Sardar Patel Bhawan, Bailey Road, Patna.
8. The Inspector General of Police, Special Branch, Sardar Patel Bhawan, Bailey Road, Patna.
9. The Superintendent of Police (A) Special Branch, Sardar Patel Bhawan, Bailey Road, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Ranjan, Advocate
For the Respondent/s : Mr. Saroj Kr. Sharma, AC to AAG-3

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 26-11-2019 Heard learned counsel for the parties.

2. The petitioner has a grievance that his case for promotion to the rank of Deputy Superintendent of Police from Inspector of Police is being delayed without any laches on his



part and the persons junior to him have been allowed promotion.

3. Mr. Sanjeev Ranjan, learned counsel appearing on behalf of the petitioner has drawn my attention to the proceedings of the meeting of the Departmental Promotion Committee held on 28.12.2018 (Annexure-3) to contend that the petitioner's name figures at Serial No. 324 and his case has been kept pending on the ground that his ACRs in respect of at-least 36 months in preceding five years were not available before the Committee for consideration. A post has been kept pending for him.

4. It is being argued that subsequent to the said Departmental Promotion Committee meeting, no review meeting has been held nor the petitioner's case for promotion has been considered subsequent to the said meeting dated 28.12.2018. He has submitted that persons much below in the seniority-list have been allowed promotion to the rank of Deputy Superintendent of Police, which is a matter of great humiliation for the petitioner as he has been made to serve against lower rank than his juniors, without any fault on his part.

5. Considering the facts and circumstances of the present case, this application is disposed of with a direction to Additional Chief Secretary-cum Principal Secretary (Home),



Department of Home, Government of Bihar (Respondent No. 2)
to ensure that the petitioner's case is considered by the
Departmental Promotion Committee within two months from
the date of receipt/ production of a copy of this order. If the
petitioner is found fit for promotion, he shall be entitled for all
consequential benefits.

(Chakradhari Sharan Singh, J)

Rajesh/-

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