

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.597 of 2021

Narendra Kumar, Son of Sri Bangali Ram, Permanent Resident of Village- Bikrampur Balia, Police Station- Sakri, District- Mahdubani at Present resident of Mohalla- Ismailganj, Police Station Lahariya Sarai, District- Darbhanga and Presently Posted as an Inspector, Vigilance Department, 6, Circular Road, Patna-800001.

... .. 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. The 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 Branch, Sardar Patel Bhawan, Bailey Road, Patna.
9. The Superintendent of Police (A) Special Branch, Sardar Patel Bhawan, Bailey Road, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar, Advocate
For the Respondent/s : Mr. Sheo Shankar Prasad, SC-8(Ag)

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 13-01-2022

This matter is heard via video conferencing due to circumstances prevailing on account of COVID-19 Pandemic.

2. Heard learned counsel for the parties.



3. In the instant petition, the petitioner has prayed for the following reliefs:

“That this writ petition has been filed on behalf of the petitioner for issuance of writ/writs, direction/directions, order/ orders in the nature of mandamus to command the respondents to consider the promotion of the petitioner to the rank of Deputy Superintendent of Police from the post of inspector of police immediately which is being delayed without any laches on his part and the persons junior to him have been allowed promotion. Hence, this writ petition.”

4. Short question for consideration in the present petition is whether the petitioner is entitled to be promoted to the post of Deputy Superintendent of Police from the cadre of Inspector of police or not?

5. The concerned respondent is hereby directed to take note of service particulars of the petitioner read with the relevant statutory provisions of law in respect of filling up the post of Deputy Superintendent of Police and seniority of the Inspector of Police and decide the petitioner's grievance relating to entitlement to the post of Deputy Superintendent of Police by means of promotion or not?

6. The aforesaid decision must be taken by the competent authority within a period of three months from the date of receipt of a copy of this order and communicate the decision, if



petitioner is entitled to promotion in that event, he be promoted with consequential benefits.

7. The petition stands disposed of.

(P. B. Bajanthri, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27.01.2022
Transmission Date	NA

