

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1593 of 2018

In

Civil Writ Jurisdiction Case No.5149 of 2012

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Shri Ravindra Kumar Singh S/o Triveni Singh R/o Ashiana Nagar, P.S. Rajeev Nagar, District- Patna.

... .. Appellant/s

Versus

1. The Union of India.
2. The Secretary, Ministry of Home Affairs, Government of India, New Delhi.
3. The Deputy Secretary, Personnel, Ministry of Home Affairs, Government of India, Police Division II
4. The Secretary, Union Public Service Commission, Dholpur House, Shahjahan Road, New Delhi.
5. The Director General, Central Industrial Security Force, 13, CGO Complex, Lodhi Road, New Delhi.
6. The Inspector General, Central Industrial Security Force, Patna.
7. The Secretary, Department of Personnel and Training, Government of India, New Delhi.
8. The Deputy Inspector General, Personnel, Central Industrial Security Force, Ministry of Home Affairs
9. Chairman, The Union Public Service Commission, Dholpur House , Sah Jahan Road, New Delhi.
10. Group Commandant, CISF Group HQ, Patna.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Ashok Kumar Choudhary, Sr. Advocate
Mr. Gyanendra Shukla, Advocate
For the Respondent/s : Mr. Kumar Priya Ranjan, CGC

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE RAJIV ROY

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 17-08-2022

In the instant appeal, appellant has prayed for the following reliefs:-



(a) For upgradation of his ACR grading for the year 2003-04 to "VERY GOOD" instead of "GOOD".

(b) To restore the seniority of the petitioner w.e.f. 31.03.2009, the date the juniors were promoted, with all consequential benefits in the light of the Judgment and Order dated 15.09.2017, 23.11.2009 and 14.05.2010 passed in C.W.J.C. No. 5149 of 2012, 14633 of 2009 and C.W.J.C. No. 7617 of 2010 respectively."

The appellant had approached this Court in CWJC No. 5149 of 2012 and it was decided on 15.09.2017. Para 5 of the order reads as under:-

"In the above view of the matter, the present writ petition stands disposed of with a direction to the Secretary, Department of Personnel and Training, Government of India, New Delhi (respondent no. 7) to take a final decision on the said pending issue in accordance with law expeditiously and in any event within a period of four weeks from the date of receipt/production of a copy of this judgment."

Due to non-compliance of the order dated 15.09.2017 appellant preferred Miscellaneous Jurisdiction Case No. 98 of 2018 arising out of CWJC No. 5149 of 2012. During pendency of the aforesaid MJC case the concerned respondent i.e. opposite party no. 7 passed a speaking order dated 20.08.2018. In the light of the aforesaid order the learned Single Judge disposed the



contempt proceedings while recording that there is a substantial compliance of the judgment dated 15.09.2017.

Feeling aggrieved and dissatisfied with the order of the learned Single Judge passed in MJC No. 98 of 2018, the appellant has presented this LPA in questioning the order dated 20.08.2018 in MJC No. 98 of 2018.

However, the appellant has alternative remedy to challenge the speaking order dated 29.08.2018 as the said order is in terms of order dated 15.09.2017 passed in CWJC No. 5149 of 2012.

In the light of these facts and circumstances, there is no error committed by the learned Single Judge while disposing MJC No. 98 of 2018 arising out of CWJC No. 5149 of 2012. Accordingly, the present LPA stands dismissed reserving liberty to the appellant to question the speaking order dated 29.08.2018, in accordance with law and before appropriate forum.

(P. B. Bajanthri, J)

(Rajiv Roy, J)

Vikash/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	
Transmission Date	N/A

