

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19379 of 2021

=====

Ramesh Kanchan Kumar son of Late Prayag Bhatta, resident of Village-Balbandh, P.S. Charpokhari, District-Bhojpur, Ara, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Home Department, Old Secretariat, Patna, Bihar, Patna.
2. The Director General of Police, Patel Bhavan, Bailey Road, Patna.
3. The Assistant Inspector General of Police (Welfare), Patel Bhavan, Bailey Road, Patna.
4. The Superintendent of Police, Saran, District-Saran.
5. The Deputy Superintendent of Police, H.Q. R.T. Budh Marg, Patna.
6. The R.S.I Ist, H.Q. R.T. Budh Marg, Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Raj Kishore Srivastava
For the Respondent/s : Mr.Manish Kumar (Gp4)

=====

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

Date : 04-01-2022

The matter is heard via video conferencing due to circumstances prevailing on account of the COVID-19 pandemic.

2. In the instant petition, petitioner has prayed for the following relief/reliefs:

“That the writ application is being filed for issuance of writ/writs, order/orders, direction/directions in nature of mandamus commanding and directing the respondents to make out standing three months i.e. August 2021 to October 2021 dues salary of the petitioner, this has been old without any reason.

And

Further be please to call for service records and grant the due promotion on the post of S.I. by the Department.”



3. The aforesaid relief is in the absence of any demand before the competent authority or demand like submission of representation/application. In the absence of the same petitioner is not entitled for writ of Mandamus in the light of Apex Court decision in the case of *Mani Subrat Jain V. State of Haryana* reported in *(1977) 1 SCC 486*.

4. Accordingly, writ petition stands disposed off reserving liberty to the petitioner to approach the concerned authority in making representation within a period of four weeks from the date of receipt of this order.

5. On receipt of such representation, the competent authority is hereby directed to decide petitioner's representation within a period of one month from the date of representation.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	07.01.2022
Transmission Date	

