

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.155 of 2023

1. Dhananjay Kumar Singh Son of Ramashray Singh, Resident of Village-Gabhirar, Police Station- Raghunathpur, District- Siwan, Bihar, presently posted as Constable.
2. Lalan Yadav, Son of Pataru Yadav, resident of Parsaunda, Near Kali Sthan, Police Station- Parsonda, District- Bhojpur, Bihar, presently posted as Constable
3. Harendra Ram, Son of Jhopdi Ram, Resident of 12, Old SBI Colony, Banskothi, Police Station- Khagaul, District- Patna, Bihar, presently posted as D.P.C./68
4. Santosh Kumar Mishra, Son of Navo Nath Mishra, Resident of Muretha, Police Station- Jale, District- Darbhanga, Bihar, presently posted as Constable.
5. Md. Jalaluddin, Son of Mohammad Thagai, Resident of Chamardiha Badgaon, Gudgudi, District- West Champaran, Bihar, presently posted as Constable.
6. Bharat Prasad Singh, Son of Late Bhuneshwar Singh, Resident of 6, New CID Colony, Phulwari, Police Station- Phulwarisharif, District- Patna, Bihar, presently posted as Constable Driver.
7. Kishori Choudhary, Son of Anchu Choudhary, resident of Srirampur, Sherghati, Police Station- Sherghati, District- Gaya, Bihar, presently posted as Constable.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Home (Police), Government of Bihar, Patna.
3. The Principal Secretary, Department of Finance, Government of Bihar, Patna.
4. The Home Secretary, Government of Bihar, Patna.
5. The Director General of Police, Bihar, Patna.
6. The Additional Director General of Police, Crime Investigation Department (CID), Bihar, Patna.
7. The Deputy Inspector General, Crime Investigation Department (CID), Bihar, Patna.
8. The Superintendent of Police (C), Crime Investigation Department (CID), Bihar, Patna.
9. In- Charge, Account Section, Crime Investigation Department (CID), Bihar, Patna.

... .. Respondent/s

Appearance :



For the Petitioner/s : Mr.Prashant Kumar, Advocate
For the Respondent/s : Mr. Ruchikar Jha, AC to SC-8

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 21-02-2023 Learned counsel for the petitioners submits that the case of the petitioners are similarly situated to the petitioner in CWJC No.10220 of 2021 and the petitioners in CWJC No.4864 of 2021. The petitioners are looking for similar reliefs.

Learned counsel for the petitioners submits that the State has accepted the order of this Court as contained in Annexure '5' in case of some of the similarly situated persons, therefore, there is no reason as to why the State would not take similar view in respect of the petitioners as well. This Court has been informed that the orders as contained in Annexure-5 have not been appealed against.

In the aforesaid view of the matter, this writ application is being disposed of with a direction to the Additional Chief Secretary, Department of Home (Police), Government of Bihar (respondent no.2) to examine the case of the petitioners keeping in view the orders passed by this Court in CWJC No.10220 of 2021 and CWJC No.4864 of 2021. In case it is found that these petitioners are similarly situated to the petitioners of the said two cases, it goes without saying that the petitioners would also be entitled for similar reliefs and there



would be no recovery from them. The respondents would, however, be at liberty to take steps for re-fixation of pay/ACP after giving an appropriate opportunity of hearing to the petitioners.

Let such decision be taken within a period of three months from the date of receipt/communication of a copy of this order. No deduction shall be made in the meantime.

This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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