

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.17219 of 2015**

1. Swatantra Vir Singh S/o Late Dharmdeo Singh, resident of village- Kosara, P.S.- Mahnazpur, District- Ajamgarh U.P. presently posted as Sub-Divisional Prosecution Officer Selection Grade, Civil Court, Muzaffarpur.
2. Satyendra Kumar S/o Late Narain Prasad, resident of Village- Ekraim, P.S.- Ariari, District- Sheikhpura, Bihar, presently posted as Sub-Divisional Prosecution Officer Selection Grade, Civil Court, Biharsharif.
3. Arvind Kumar Suman S/o Sri Jagar Nath Prasad, resident of Mohalla- Haziapur, Road, Gopalganj, P.S.- Gopalganj Town, District- Gopalganj presently posted as Sub-Divisional Prosecution Officer Selection Grade, Civil Court, Siwan.
4. Triyugi Nath Dwivedi S/o Late Lal Bihari Dwivedi, resident of village- Rampur Dubey, P.O.- Belwa Bazar, District- Deoria U.P. presently posted as Sub-Divisional Prosecution Officer Selection Grade, Civil Court, Motihari.
5. Narendra Kumar Singh S/o Late Kanchan Singh, resident of Village- Gaura Pandey, P.S.- Lar, District- Deoria, U.P. presently posted as Sub-Divisional Prosecution Officer Selection Grade, Civil Court, Darbhanga.
6. Dinesh Chand Srivastava S/o Late Kailash Chandra Srivastava, resident of Mohalla- House No.- 139 A, Tiwaripur, P.S.- Tiwaripur, District- Gorakhpur U.P. presently posted as Sub-Divisional Prosecution Officer Selection Grade, Civil Court, Bettiah.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Home Department, Govt. of Bihar, Patna.
3. The Director General, Prosecution, Prosecution Directorate, Bihar, Patna.

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr. Rakesh Kumar Samrendra, Advocate  
For the Respondent/s : Mr. Apurva Kumar, Advocate

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      15-09-2023      The present writ petition has been filed seeking the following reliefs:-

*“1. (a) For a declaration that the petitioners are entitled to be posted against sanctioned and vacant*



*posts of the District Prosecution Officer (D.P.O.) in the State of Bihar in Pay Scale of PB4+ GP 8700/-.*

*(b) For declaration that the posting of the petitioners on the post of District Prosecution Officer (D.P.O.) in different districts of the State of Bihar is in consonance with the directives issued by the Hon'ble Supreme Court in Criminal Appeal No. 1485/2008 (State of Gujrat Vs. Kishan Bhai) for ensuring quality in criminal investigation prosecution in the State of Bihar.*

*(c) For setting aside the Memo No. 630 dated 14.7.2015 issued by the Prosecution Directorate, Home Department, Govt. of Bihar whereby the petitioners alongwith others have been designated/posted on the post of the Sub- Divisional Prosecution Officer, (Selection Grade) hereinafter referred to as S.D.P.O. (Selection Grade) at different places in the State of Bihar.*

*(d) For commanding the Respondents to post the petitioners on sanctioned and vacant posts of*



*the District Prosecution Officer (D.P.O.) in different district of Bihar in upgraded pay scale of PB4+ GP 8700/- which has been fixed for the post of D.P.O.*

*(e) For commanding the Respondents to make payment of difference in arrears of salary to the petitioners with effect from 12.6.2014 due to upgradation of the post of the District Prosecution Officer in new pay scale i.e. PB4 + GP 8700/-."*

2. At the outset, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to approach the respondent authorities for redressal of their aforesaid grievances. Liberty, so sought, is granted.
3. The writ petition stands disposed off as not pressed.

**(Mohit Kumar Shah, J)**

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