

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22466 of 2013

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Dadan Singh S/O Late Ram Narain Singh Village- Beldihari, P.S.- Sikamhta,
District- Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar through the Director General of Police, Department of Homes, Patna, Bihar
2. The Director General of Police, Bihar, Patna
3. The Additional Director General of Police, Bihar, Patna
4. The Inspector General of Police, Special Branch, Bihar, Patna
5. The Inspector General of Police, Headquarter, Bihar, Patna
6. The Inspector General of Police, Muzaffarpur, District and Town- Muzaffarpur
7. The Superintendent of Police, Gopalganj, District- Gopalganj

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bishwajeet Singh, Advocate
For the State : Mr.Raghwanand, GA-11
Mr.Sanjay Kr. Tiwari, AC to GA-11

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-06-2023 The present writ petition has been filed seeking the following relief:-

“1. That this writ application is being filed for the issuance of Writ of MANDAMUS commanding the respondent authorities, specially respondent no. 2 to consider the candidature of the petitioner for his promotion on the post of Dy.S.P. as his candidature has not been considered because his



name is not found mentioned in the gradation list 2013 though his name was at serial no. 262 in the old gradation list.

AND, for issuance of appropriate Writ or Writs commanding the respondent authorities to immediately correct the gradation list 2013 and include name of the petitioner at his place of seniority, as petitioner's name is missing from the same though his name was at serial no. 262 in the old gradation list and due to absence of name his case was not considered by the Board for his promotion on the post of Dy. S.P.”

At the outset, the learned counsel for the respondent-State has referred to paragraph no.8 of the counter affidavit, filed in the present case to submit that immediately upon the petitioner having filed representation on 11.07.2013, before the Inspector General of Police (Headquarters), Bihar requesting therein for consideration of his candidature for grant of promotion to the post of Deputy Superintendent of Police, the petitioner has been given notional promotion in the category of Deputy Superintendent of Police, vide letter dated 01.04.2014, with effect from the date his juniors have been granted promotion on the said post, i.e. 06.12.2013, hence nothing survives for consideration in the present writ petition.

Having regard to the stand taken by the respondents



in their counter affidavit, as aforesaid, I deem it fit and proper
to dispose off the present writ petition.

(Mohit Kumar Shah, J)

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