

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24383 of 2013

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1. Suresh Kumar Sahni Son of Late Tilak Sahni Resident of Ward No.- 12, Rosera, Police Station- Rosera, District- Samastipur
 2. Anant Kumar Gupta Son of Shri Chandradeo Prasad Gupta Resident of Village- Auray, Police Station- Puraini Bazar, District- Madhepura

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of Home Police, Government of Bihar, Patna
3. The Principal Secretary, Finance Department, Government of Bihar, Patna
4. The Principal Secretary, General Administration Department, Government of Bihar, Patna
5. The Deputy Secretary, Department of Home Police, Government of Bihar, Patna
6. The Director General, Prosecution Directorate, Department of Home Police, Government of Bihar, Patna

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Navendu Kumar, Adv.
For the Respondent/s	:	Mr.Sunil Kr. Mandal, SC-3
		Mr.Bipin Kumar, AC to SC-3
		Mr.Arjun Prasad, AC to SC-3

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-07-2023 The present writ petition has been filed seeking the following reliefs:-

“1.(i) For issuance of a writ of mandamus directing the concerned authorities to grant the benefits of his seniority in every respect including monetary benefits as it is a settled law in service jurisprudence that a senior should not be paid lesser pay than his juniors unless it has been denied following due procedure under the provisions of law.



(ii) For issuance of a writ of mandamus directing the concerned authorities to treat the petitioners in service from the day their juniors were appointed and accordingly grant the benefits of the Modified Assured Career Progression (M.A.C.P.) Scheme from the date the petitioner became eligible for it and accordingly in consequence thereof fix the salary.

(iii) For issuance of a writ of mandamus directing the concerned authorities to pay the petitioners their arrears of salary from the day their juniors were getting their salary as the petitioners were kept outside the service”

At the outset, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to approach the Director General, Prosecution Directorate, Department of Home (Police), Government of Bihar, Patna, i.e. the respondent no.6, for redressal of their aforesaid grievances. Liberty so sought is granted.

It is needless to state that in case appropriate representation is filed by the petitioners before the respondent no.6, for redressal of their aforesaid grievances, within a period of four weeks from today, the respondent no.6, shall consider the same and pass a reasoned and a speaking order, in accordance with law, within a period of six weeks, thereafter.



The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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