

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8960 of 2023

Md. Quaiser Khan Late Wasi Ahmad Khan, resident of Village- Govindpur,
Khajuri, Ward no. 7, Kishunpur, P.S. - Kalyanpur, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Home Department,
Government of Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Accountant General of Police Bihar Patna.
4. The Inspector General of Police, Inspector general Office, Mithila Region,
Laheriyasari, Darbhanga.
5. The Superintendent of Police, Samastipur.
6. The District Account Officer Collectorate, Samastipur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate
For the Respondent/s : Mr. Md. Nadim Seraj (GP 5)

**CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA
CHAKRAVARTHY**

ORAL ORDER

2 02-12-2023 Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. This writ application is filed by the petitioner with
the prayer to admit the application and issue Rule NISI, calling
upon the respondents as to why the relief sought for in the writ
application be not allowed or to pass any order or orders as
deem fit and proper to this Court.

3. The case of the petitioner is that he joined to the
post of constable on 19.02.1982 in Bihar police under
Samastipur District Police Force and retired from service on



31.05.2020 at the age of superannuation from the post of Sub Inspector of Police. After his retirement, he found that his last pay is less than other constables, who joined along with him, and came to know that their last payment of salary was Rs. 58,600/- while his last payment was Rs. 55,200/-.

4. On enquiry he came to know that there were two increments due to him for the year 2007 and 2008 which were not calculated by the respondents. Therefore, he made representations on 01.11.2021, 03.01.2022 and 09.03.2022, and also made an application under RTI on 17.05.2022 for which a reply was given by the Superintendent of Police, Samastipur (Respondent No. 5) on 07.06.2022.

5. It is specific contention of learned counsel for the petitioner that in spite of these representations, the respondents did not act properly and his representations were still pending before the authorities/respondents and further contended that he is entitled for the two increments, which have been received by his batchmates. It is also contended that there are no allegations against the petitioner at any point of time for non granting of his increments.

6. On the other hand, learned counsel for the State contended that the respondents shall pass appropriate orders on



the representations of the petitioner and directed to dispose of the writ application.

7. Having given thoughtful consideration to the rival contentions of the parties, this Court is of the considerable view that if at all the petitioner is entitled for the two increments in question, the same shall be paid by the respondents and further the representations of the petitioner dated 01.11.2021, 03.01.2022 and 09.03.2022 shall be disposed of by the respondents on merits by passing appropriate orders.

8. With the aforesaid observations, this writ petition is disposed of.

(G. Anupama Chakravarthy, J)

Spd/-

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