

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6110 of 2025

1. Ghanshyam Singh Son of Late Balmiki Singh, Resident of Village-Khaira, Police Station-Piri Bazar, District-Lakhisarai, presently residing at House No. B4, Near Comand Hospital, B./M.P. 10 B.V. College, Rukanpura, P.S. Rajiv Nagar, District-Patna.
2. Kasimuddin Khalifa, son of Late Fazlu Khalifa, Resident of Village-Aurangabad Saraiya, Tilouthu, Police Station-Amghor, District-Rohtas.
3. Arvind Kumar Singh, son of Late Mahendra Prasad Singh, Resident of Village-Alawalpur, Police Station-Gaurichak, District-Patna.
4. Sunil Kumar, Son of Late Sukhu Singh, Resident of Village-Raghopur, Police Station-Jurawanpur, District-Vaishali.
5. Jagadishwari Sharan Ojha, son of Sri Radha Mohan Jha, Resident of Village-Karja, Police Station-Bihiya, District-Bhojpur (Ara).
6. Ram Vishesh Choudhary, son of Late Ramandhar Choudhary, Resident of Village-Pipraulia, Police Station-Ashok Paper Mill, District-Darbhanga.
7. Md. Shakil Khan, son of Late Washil Khan, Resident of Village-Tajpur Kurrah, Police Station-Dildar Nagar, District-Ghazipur (U.P.).
8. Sunil Kumar Shahi, Son of Late Gajadhar Shahi, Resident of Village-Shyampur Bhoja, Police Station-Kanti, District-Muzaffarpur.
9. Kamlesh Kumar Upadhyay, son of Late Badri Nath Upadhyay, Resident of Village-Tari Muhalla, Police Station- Nagar Thana (Ara), District-Ara (Bhojpur).
10. Sonu Prasad, son of Late Badri Prasad, Resident of Village-Bayitpur, Police Station-Wazirganj, District-Gaya.
11. Bikarma Pandey, son of Ramanand Pandey, Resident of Village-Sabeyan, Police Station-Karakat, District-Rohtas.
12. Gayatri Chaubey, son of Late Ram Dayal Chaubey, Resident of Village-Jagdihra, Police Station-Chenari, District-Rohtas.
13. Nand Kumar Singh, son of Nageshwar Singh, Resident of Village-Makhandpur, Police Station-Nathnagar, District-Bhagalpur.
14. Kauleshwar Singh, son of Late Hari Singh, Resident of Village-Rupash Tola, Police Station-Bardh, District-Patna.
15. Devanand Misra, son of Modnath Misra, Resident of Village-Ojhaul,



Police Station-Bahadurpur, District-Darbhanga.

16. Bahadur Yadav, Son of Late Bijo Yadav, Resident of Village-Harnath Chak, Singhya Makandpur, Police Station-Gopalpur, District-Bhagalpur.
17. Nagendra Kumar Dubey, son of Late Haridwar Dubey, Resident of Village-Koluha Khurd, Police Station-Chanpur, District-Daltanganj.
18. Dineshwar Prasad Gupta, son of Late Chotelal Gupta, Resident of Village-Punpun, Police Station-Punpun, District-Patna.
19. Md. Ehsan, son of Mahiuddin Khan, Resident of Village-Gore, Police Station-Mandar, District-Ranchi (Jharkhand).
20. Kopendra Prasad, son of Nanhak Prasad, Resident of Village-Gulariya Bigha, Police Station-Dhanarua, District-Patna.
21. Ranjeet Singh, son of Ramkrit Singh, Resident of Village-Bhagwanpur, Police Station-Phatuha, District-Patna.
22. Darvind Kumar Singh, son of Bachchu Singh, Resident of Village-Kobwa, Police Station-Wajirganj, District-Gaya.
23. Vidya Bhushan Singh, son of Ramkrit Singh, Resident of Village-Bhagwanpur, Police Station-Phatuha, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home (Police), Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Home (Police), Govt. of Bihar, Patna.
3. The Director General of Police, Bihar, Patna.
4. The Additional Director General of Police, Military Police, Bihar, Patna.
5. The Inspector General of Police (Budget/Appeal/Welfare), Bihar, Patna.
6. The Under Secretary to the Government, Department of Home (Police), Bihar, Patna.
7. The Commandant, BSAP-10, Patna.
8. The Commandant, BMP-10, Patna.
9. The Principal Secretary, Finance Department, Govt. of Bihar, Patna.
10. The Director, P.F. Directorate, Patna.

... .. Respondent/s

Appearance :



For the Petitioner/s : Mr. Bindhyachal Singh, Sr. Advocate
Mr. Vipin Kumar Singh, Advocate
Ms. Smriti Singh, Advocate
Mr. Aakash Singh, Advocate
For the Respondent/s : Ms. Dimpal Kumari, AC to GP-11

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 22-04-2025 Heard Learned Senior Counsel for the petitioners and
Learned Counsel for the State.

2. The present writ petition has been filed with the
following reliefs:

“I. For issuance of writ in the nature of mandamus or any other appropriate writ, order or direction for commanding the respondents to restore the pay-fixation of the petitioners by granting benefit of ACP in the pay scale of Rs.4000-6000 (instead of pay scale of Rs.3200-4900) and thereafter, proceed to re-fix their pay/pension in the light of the order/judgement dated 26.04.2024 passed in LPA No.458/2021 (Srikant Dubey & ors. vs. The State of Bihar & ors.) as the petitioners case is squarely covered by the said judgment.

II. For issuance of writ in the nature of mandamus or any other appropriate writ for commanding the



respondents to refund the amount recovered from the petitioners from the benefits of their first and second ACP and arrears thereof.

III. For issuance of any other appropriate writ or direction which your Lordships may deem fit and proper in the facts and circumstances of the case.”

3. Learned Senior Counsel for the petitioners submits that the issue in the present case has already been decided by Hon’ble Division Bench of this Court in **LPA No.458 of 2021 (Srikant Dubey and Others Vs. The State of Bihar and Others)**. Learned Senior Counsel submits that with a view to grant leave, a representation has been filed by the petitioners vide Annexure-P/4 and subsequently with a view to decide the same, the respondent, the Additional Director General of Police (Headquarter), Bihar, Patna, by virtue of Office Order No.77 dated 22.10.2024 has constituted a grievances cell for consideration of the matters in the light of Bihar State Litigation Policy, 2011 which is Annexure- P/6.

4. Learned Counsel for the State submits that time may be granted to file counter affidavit.

5. In the light of the submissions made, this Court is of the firm view, more particularly upon consideration of



Annexure-P/6, which is as follows:-

बिहार पुलिस मुख्यालय
(आचार्य एवं अत्याचार प्रभाग)
कार्यालय आदेश

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आदेश-सी०-1/17ई०-07-33-2024/...7.7 पटना, दिनांक-

बिहार राज्य मुकदमा नीति-2011 के 4A(1) के तहत गृह विभाग (आरक्षक शाखा), पटना के कार्यालय आदेश सं०-22, दिनांक-09.02.2023 एवं विभागीय पत्रांक-3589, दिनांक-25.03.2024 द्वारा प्राप्त निर्देश के आलेख में बिहार पुलिस मुख्यालय, पटना हेतु बिनाप निवारण समिति का गठन निम्नलिये किया जाता है-

11	पुलिस महानिरीक्षक (मुख्यालय), बिहार, पटना	-	अध्यक्ष
12	पुलिस उप-महानिरीक्षक (आचार्य), बिहार, पटना	-	सदस्य
13	पुलिस अधीक्षक (आचार्य-1), बिहार, पटना	-	सदस्य
14	पुलिस अधीक्षक (आचार्य-2), बिहार, पटना	-	सदस्य सह सचिव
15	पुलिस महानिरीक्षक के सहायक (वि०वि०सि०), पटना	-	सदस्य
16	पुलिस अधीक्षक (अ), दिशेष शाखा, बिहार, पटना	-	सदस्य
17	पुलिस अधीक्षक (डी), अपराध निवारण, बिहार, पटना	-	सदस्य

समिति द्वारा बिहार राज्य मुकदमा नीति-2011 के प्रावधानों के तहत कार्य किया जायेगा।
इस पर पुलिस महानिरीक्षक, बिहार का अनुमोदन प्राप्त है।

अवर-पुलिस महानिरीक्षक (मुख्यालय)
बिहार, पटना

आदेश-सी०-1/17ई०-07-33-2024/...4.2.2 पटना, दिनांक-23/07/24

प्रतिपत्ति:-

1. सभी महानिरीक्षक/अवर पुलिस महानिरीक्षक, बिहार को सूचनाएं एवं आवश्यक क्रियाएं प्रेषित।
2. सभी पुलिस महानिरीक्षक/पुलिस उप-महानिरीक्षक (रत इकाई सहित), बिहार को सूचनाएं एवं आवश्यक क्रियाएं प्रेषित।
3. सभी वरीय पुलिस अधीक्षक/पुलिस अधीक्षक (रत इकाई सहित), बिहार को सूचनाएं एवं आवश्यक क्रियाएं प्रेषित।
4. सभी सहायक/प्राधाय (पुलिस प्रशिक्षण केंद्र), बिहार को सूचनाएं एवं आवश्यक क्रियाएं प्रेषित।
5. उप-निरीक्षक, गृह विभाग (आरक्षक शाखा), बिहार, पटना को उनके पत्रांक-3589, दिनांक-25.03.2024 के आलेख में सूचनाएं एवं आवश्यक क्रियाएं प्रेषित।
6. उप-सचिव/सभी अवर सचिव/सभी प्रशाखा परामित्तार/सभी केंद्रगत प्रभारी, बिहार पुलिस मुख्यालय, पटना को सूचनाएं एवं आवश्यक क्रियाएं प्रेषित।

अवर-पुलिस महानिरीक्षक (मुख्यालय)
बिहार, पटना

This Court is of the view that keeping the writ petition pending shall be an unnecessary step and in spite thereof the writ petition is disposed off directing the petitioners to file



representation before the said Grievances Redressal Committee seeking reliefs applicable by virtue of letter No.422 dated 23.10.2024, described above. The petitioners shall file separate representation along with a copy of this order before the Grievances Redressal Committee within a period of 30 days from today and the Grievances Redressal Committee shall pass a reasoned and speaking order on the representation of the petitioners within 90 days thereafter.

6. If it has been found by the Committee that petitioners' case is covered in the light of L.P.A. mentioned above, then the said decision shall be implemented within the stipulated period for the petitioners only.

(Dr. Anshuman, J)

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