

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6221 of 2025

1. Rahul Singh Son of Sri Raj Deo Singh, Resident of Mahatama Gandhi Nagar, P.O.- Lohia Nagar, P.S.- Patrakar Nagar, District- Patna, Pin Code- 800026.
2. Prakash Kumar, Son of Kiral Lal, Resident of Rasia Hat, P.O.- B.B. Bharatpur, P.S.- Powakhali, District- Kishanganj, Pin Code- 855108
3. Amit Kumar, Son of Shankar Prasad, Resident of Bishanpur Adhar, P.O.- Araria, P.S.- Kanhauli, District- Sitamarhi, Pin Code- 843330.
4. Sunil Kumar Pandey, Son of Surendra Kumar Pandey, Resident of village- Bhagwanpur, P.O.- Rampur Rudra, P.S.- Panapur, District- Saran, Pin Code- 841424.
5. Saroj Kumar Sah, Son of Ram Prasad Sah, Resident of Nayatola Madhopur, Near Sanskrit Schol, Bakhtiarpur, P.O. and P.S.- Bakhtiarpur, District- Patna, Pin Code- 803212.
6. Pankaj Kumar Mishra, Son of Kamlesh Mishra, Resident of village and P.O.- Bhandarisome, P.S.-Manigachi, District- Darbhanga, Pin Code- 847422.
7. Firoj Alam, Son of Md. Amil, Resident of Mansha Tola, Near Power Sub Station, P.O.- Barwat Parasrain, P.S.- Mufassil, District- West Champaran, Pin Code- 845438.
8. Kalyan Anand, Son of Devanand Prasad, Resident of Prem Amrit Kunj, P. Dayal Road, Barmasia, Deoghar (Jharkhand), P.O.- Deoghar, P.S.- Deoghar Town, District- Deoghar, Pin Code- 814112.
9. Naveen Kumar, Son of Late Janeshwar Singh, Resident of village- Nagain, P.O.- Deohara, P.S.-Goh, District- Aurangabad, Pin Code- 824114.
10. Jitesh Pandey, Son of Dinesh Pandey, Resident of village and P.O.- Sikrour, P.S.- Shivsagar, District- Rohtas, Pin Code- 821104.
11. Gulshan Kumar, Son of Arvind Kumar, Resident of Premnagar, Horilganj, Court Area, P.O., P.S. and District- Jehanabad, Pin Code- 804408.
12. Gaurav Kumar, Son of Om Prakash Mishra, Resident of care of Shubhash Nath Mishra, village- Kartahan, P.O. and P.S.- Kartahan, District- Vaishali, Pin Code- 844119.
13. Rajesh Kumar, Son of Nand Lal Keshari, Resident of Nand lal Keshari, Boliya Road, Near Buddha Mission School, Parvati Sadan, P.O. and P.S.- Sasaram, District- Rohtas, Pin Code- 821311.
14. Akash Kumar Yadav, Son of Satyendra Prasad Yadav, Resident of Patna City, Khajekalan, P.O.- Jhauganj, P.S.- Khajekalan, District- Patna, Pin Code- 800008.
15. Rajnish Kant Priyadarshi, Son of Sheshnath Prasad, Resident of village- Wajit Nima, P.O.- Rafiganj, P.S.- Rafiganj, District- Aurangabad, Pin Code- 824125.
16. Aditya Kumar, Son of Shri Ashok Kumar Yadav, Resident of village and P.O.- Pakri, P.S.- Alinagar, District- Darbhanga, Pin Code- 847103.
17. Md. Fakhre Alam, Son of Md. Nezamuddin, Resident of village- Sikta Deoraj, P.O.- Baswariya, P.S.- Lauriya, District- West Champaran, Pin Code- 845453 .



18. Rabindra Mohan Prasad, Son of Kamdeo Prasad, Resident of Thana Chowk Jamui, P.O.- Jamui, P.S.-Jamui Town, District- Jamui, Pin Code- 811307.
19. Binod Kumar, on of Sri Laxmi Thakur, Resident of village and P.O.- Sripur Hati, P.O.- Madhubani, P.S.- Pandaul, District- Madhubani, Pin Code- 842872.
20. Amit Kumar, Son of Yogi Thakur, Resident of Satsang Nagar, Singiyahi Road, P.O. and P.S.- Pupri, District- Sitamarhi, Pin Code- 843320.
21. Sandeep Goldy, Son of Dharendra Kumar, Resident of village and P.O.- Gidha, P.S.- Koilwar, District- Bhojpur, Pin Code- 802314.
22. Umesh Kumar, Son of Late Shikil Ram, Resident of Near Kamla Rai College Arar, Ward No.- 26, P.O. and P.S. and District- Gopalganj, Pin Code- 841428.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Home (Police) Department, Bihar, Patna.
2. Secretary, Home (Police) Department, Bihar, Patna.
3. The Director General of Police, Government of Bihar, Patna.
4. The Inspector General of Police, Headquarter, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Abhinav Srivastava, Sr. Advocate Mr. Raushan, Advocate
For the State	:	Mr. Sanjay Kumar (AC to GP-23)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-04-2025 Heard Learned Senior Counsel for the petitioners and
Learned Counsel for the State.

2. The present writ petition has been filed for the
following relief/s:-

*“I. For issuance of a direction, order or writ,
including writ in the nature of mandamus
commanding the concerned respondent
authorities under the Home (Police)
Department of the State Government to take
steps towards considering the cases of the*



present petitioners for giving them charge against the vacant posts of Senior Deputy Superintendents of Police as members of Bihar Police Service in terms of the provisions contained under Rule 6 of Temporary Ad-hoc Working Arrangement Rules, 2023 (hereinafter referred to as "the 2023 Rules") w.e.f. the dates persons junior to the petitioners in the rank of Deputy Superintendents of Police have been given the said charge along with all consequential benefits;

(ii) For issuance of a direction, order or writ, including writ in the nature of mandamus commanding the concerned respondent authorities under Home (Police) Department of the State Government to take steps towards extending all consequential benefits including fixation and payment of actual salary in favour of the present petitioners upon giving them charge against the posts of Senior Deputy Superintendents of Police in pay level 11 in terms of the provisions contained under the aforesaid 2023 Rules;

(iii) For issuance of a declaration holding that the petitioners are entitled for being given charge against the posts of Senior Deputy Superintendents of Police in terms of the provisions contained under the aforesaid 2023 Rules;

(iv) Any other relief that the petitioners may be



found to be entitled to in the facts and circumstances of the present case.”

3. Learned Senior Counsel for the petitioners submits that the petitioners are posted and working in the capacity of Deputy Superintendent of Police as members of Bihar Police Service Cadre in the services of the State Government and by an order dated 29.01.2013 bearing Memo No.11621 issued by the concerned authorities under the Home (Police) Department of the State Government, the notification regarding structuring of Police force under Bihar Police Service was communicated, according to which there were altogether four posts under Bihar Police Service Cadre, which include the post of Deputy Superintendent of Police, which was the basic grade posts and the next post in hierarchy was that of Senior Deputy Superintendent of Police followed by the Additional Superintendent of Police and the highest post within the said cadre which was to be filled up by way of promotion was of the Staff Officer. Senior Counsel submits that in the light of new rule framed by the State Government, the petitioners are entitled for the benefit, but in-spite of the representation filed by all the petitioners, no decision has been taken by the concerned respondent authority. Senior Counsel submits that the State Government has framed a rule namely, Temporary Ad-hoc



Working Arrangement Rules, 2023 and according to the said rule, he has recommended the name of some of the persons excluding the petitioners. In this regard, petitioners' representations are already pending before the authority concerned which is annexed as Annexure-P/10 series.

4. Learned Counsel for the State submits that a direction be given to the authority concerned to decide the petitioners' representation.

5. In the light of the submissions made, it is hereby directed to the Additional Chief Secretary, Home (Police) Department, Bihar, Patna to decide the representations of the petitioners within 60 days from the date of production of this order.

6. It is made clear that within the said 60 days/till taking decision on the representations of the petitioners, the status quo as on date shall not be disturbed.

7. Accordingly, the present writ petition stands disposed off.

(Dr. Anshuman, J)

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