

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16563 of 2013

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Raghuvansh Prasad Singh Son of Ram Subhag Singh Resident of Village -
Bhusahula, P.S Barhara, District - Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar through the Director General (Police), Bihar, Patna.
2. The Deputy Inspector General of Police, Saran Range, Govt. of Bihar,
Chhapra
3. The Superintendent of Police, Gopalganj

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sumit Kumar, Advocate

For the Respondent/s : Mr. Abhanjalli, AC to GA- 12

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT

Date : 04-09-2025

Heard learned counsel for the parties.

2. The petitioner has filed the instant application for grant of benefits of Assured Career Progression (ACP) scheme to him with effect from the date he is found entitled and for a direction to the respondent authorities to pay the consequential financial benefits.

3. It is contended by learned counsel for the petitioner that the petitioner was appointed as a Constable in the



Bihar Police on 10.7.1963 and was promoted as Assistant Sub-Inspector of Police on 1.4.1981. While posted at Gopalganj, he retired on 31.7.2000.

4. Not having been paid his post-retiral dues, the petitioner moved this Court in C.W.J.C. no. 3297 of 2001, which was decided on 18.4.2001 and the order passed therein not having been complied with, a contempt application being M.J.C. no. 2697 of 2002 was filed. Finally, the retiral dues was released to the petitioner.

5. It is further contended that the petitioner came to learn that the benefit of ACP is being released to similarly situated employees as the petitioner with effect from 1999. As such, the petitioner filed a representation on 11.3.2008 and the respondents not having responded thereto, the instant writ application was filed.

6. Learned counsel for the petitioner submits that the scheme having come into effect from 9.8.1999, he be granted the benefits of both the first and second ACP with effect from 9.8.1999.

7. Learned counsel appearing for the respondents, in reference to the counter affidavit filed, submits that from the service book of the petitioner, it would transpire that in his



service, the petitioner was punished with as many as 58 minor punishments and 8 major punishments. The effect of the last punishment being up to three years during which time the petitioner retired on 31.7.2000, the petitioner was not entitled to get the benefit of second ACP.

8. Having heard learned counsel for the parties and having perused the material on record, the relevant facts in brief are that having retired from service on 31.7.2000, it is a case of the petitioner that he filed a representation on 11.3.2008 and thereafter filed the instant writ application on 23.8.2013. In this manner, the petitioner has made an attempt to explain the delay in moving this Court for the relief prayed for.

9. The Hon'ble Supreme Court in the case of ***Surjeet Singh Sahni vs. State of Uttar Pradesh and Ors.;*** (2022) 15 SCC 536 has held that mere filing of representation does not extend the period of limitation and the aggrieved person has to approach the Court expeditiously and within a reasonable time.

10. In the opinion of the Court, the petitioner has miserably failed in explaining the delay and latches in filing of the instant writ application. The application is fit to be dismissed on this ground alone.



11. The Court finds no merit in the instant application and the same is dismissed.

(Partha Sarthy, J)

saurovkrishna/-

AFR/NAFR	NAFR
CAV DATE	NA
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