

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6882 of 2017

Yashwant Kumar Son of Late Rameshwar Prasad Singh, Resident of Village
P.O.- Punadih, P.S. Didarganj, District- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District General of Police, Bihar, Patna.
3. The Additional Director General of Police, Railway Bihar, Patna.
4. The Inspector General of Police, Railway, Bihar, Patna.
5. The Deputy Inspector General of Police, Railway, Bihar, Patna.

... .. Respondent/s

Appearance :

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

For the Respondent/s : Mr. Manish Kumar Sinha, AC to GA- 9

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT**

Date : 18-07-2025

Heard learned counsel for the petitioner and
learned counsel for the State

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

*(i) Issuance of a writ in the
nature of writ of certiorari to quash/ set
aside the office order no. 20/2017 dated
17.03.2017 passed by the Respondent I.G.,
Railway as contained in Annexure- 3,
whereby and whereunder the respondent*



authorities have cancelled the benefits given to the petitioner pursuant to first, second and third A.C.P. benefits and has also decided to deduct the financial benefits already given to the petitioner and after said deductions, a fresh pay fixation has been made in a most arbitrary and whimsical manner.

(ii) Issuance of a writ in the nature of writ of Mandamus commanding the respondents to re-fix the pay and grant the benefits already granted to him earlier in terms of benefits under the 1st, 2nd and 3rd A.C.P.

(iii) Issuance of any other writ/writs, order/ orders, direction/ directions to grant relief / reliefs to which the petitioner may be entitled to in the facts and circumstances of the case.

3. Learned counsel for the petitioner submits that during the pendency of the present writ petition, the Hon'ble Full Bench of this Court has been pleased to decide the issue involved in the present case in *Kamlanand Thakur v. The State of Bihar & Ors.*, in CWJC No. 18727 of 2017 along with other analogous cases, vide judgment dated 28.06.2024. Counsel further submits that in view of the Hon'ble Full Bench decision,



the petitioner has become absolutely entitled to the reliefs sought herein.

4. Learned counsel for the State submits that a counter affidavit was filed in this case on 25.06.2018, but he fairly submits that, after the Hon'ble Full Bench decision in 2024, there has been no occasion for the respondent authorities to scrutinize the petitioner's case.

5. In the light of the submissions made above, the petitioner is hereby directed to file a fresh representation within 30 days from today, stating that his case is squarely covered with *Kamlanand Thakur* (supra) case. Upon filing the representation along with a copy of this order, the Inspector General of Police, Railway, Bihar, Patna, (respondent No. 4) shall scrutinize the petitioner's case afresh in light of the decision passed by the Hon'ble Full Bench in *Kamlanand Thakur* (supra) and pass a reasoned and speaking order. If it is found that the petitioner's case is fully covered by the *Kamlanand Thakur* (supra) decision then he shall grant relief to the petitioner within 90 days thereafter.

6. It is made clear that Office Order No. 20 of 2017 dated 17.03.2017 shall not be a hurdle for the Inspector General of Police, Railway, Bihar, Patna, (respondent No. 4) in passing



order on the fresh representation filed by the petitioner based on the Hon’ble Full Bench decision of this Hon’ble Court in *Kamlanand Thakur* (supra).

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

(Dr. Anshuman, J.)

Aman Kumar/-

AFR/NAFR	NA
CAV DATE	NA
Uploading Date	21.07.2025
Transmission Date	NA

