

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9889 of 2025

1. Sanjeev Sunar Son of Late Tej Bahadur Sunar, Resident of Village- Gorubathan, P.O.- Fagu, Police Station- Gorubathan, District- Darjeeling (W.B).
2. Ramu Sunar Son of Bir Bahadur Sunar, Resident of Village- Mafrat-Pritity Devi Sunwar, Zone no.-04, Police Station- Birsa Nagar, District- East Singhbhum (Jharkhand).
3. Saran Pradhan Son of Shankha Man Pradhan, Resident of Village- Line Dhura, Police Station- Sukhiya Pokhri, District- Darjeeling (W.B).
4. Gopi Thapa Son of Padam Bahadur Thapa, Resident of Village- Kawakhari, Medical More, Police Station- Matigara, District- Darjeeling (W.B).
5. Gopal Bahadur Son of Thaman Bahadur, Resident of Village- Panedeyadih, Police Station- Goridih, District- Giridih (Jharkhand).
6. Rajesh Kumar Pradhan Son of Padam Lal Pradhan, Resident of Village- Basco Nagar, Gorkha Colony, Police Station- Sukiya Pokhari, District- Dargeeling (W.B).
7. Gopal Pradhan Son of Dhan Bahadur Pradhan, Resident of Village- Ghayabari Basti, Police Station- Kurseang, District- Dargeeling (W.B).
8. Anil Limboo Son of Sher Bahadur Limboo, Resident of Village- SBI, Police Station- Jogbani, District- Araria.
9. Amit Kumar Dahal Son of Chandra Bahadur Dahal, Resident of Mohalla- H.E.C. Colony, Q. No. D.T.- 485, Doranda, Police Station- Doranda, District- Ranchi (Jharkhand).
10. Madan Kumar Thapa Son of Ganesh Bahadur Thapa, Resident of Village- Shivsagar, Police Station- Domchanch, District- Koderma (Jharkhand).
11. Deepak Kumar Singh @ Deepak Kumar Singh Gorkha Son of Ratan Bahadur Singh, Resident of Mohalla- Ward No. 7, Araria, Police Station- Araria, District- Araria.
12. Arjun Kumar Chhetri Son of Nar Bahadur Chhetri, Resident of Mohalla- CMPDI Johar Nagar, Police Station- Duranda, District- Ranchi (Jharkhand).
13. Sanam Kumar Thapa Son of Sun Bahadur Thapa, Resident of Village- Hatma Tangra Toli, Kake Road, Police Station- Lalpur, District- Ranchi (Jharkhand).
14. Krishana Bahadur Chhetri Son of Jeet Bahadur Chhetri, Resident of Village- JAP-1, Duranda, Police Station- Duranda, District- Ranchi (Jharkhand).
15. Shankar Pandey Son of Prem Nath Pandey, Resident of Village- Endo Asahi, Police Station- Hazaribag, District- Hazaribag (Jharkhand).
16. Bachan Singh Rana Son of Ram Saran Rana, Resident of Village- Dhapiyunda, Pargna- Mazir, Police Station- Chamba, District- Chamba (Himachal Pradesh).
17. Lal Bahadur Rai Son of Kalu Bhan Rai, Resident of Village- Mohmmadpur,



Police Station- Clement Town, District- Dehradun (Uttarakhand).

18. Ashta Kumar Pradhan Son of Govind Bahadur Pradhan, Resident of Village Jap-1, Duranda, Police Station- Duranda, District- Ranchi (Jharkhand).
19. Pawan Kumar Rai Son of Krishna Bahadur Rai, Resident of Village- B.M.P.-1, Police Station- Hawaii Adda, District- Patna.
20. Ratan Rai Son of Bhala Bir Rai, Resident of Village- Shivitar Tea State, Police Station- Kharsaing, District- Darjeeling (W.B.).
21. Vishnu Prasad Son of Gokhul Prasad, Resident of Mohalla- Police Line, Singra Asthan, Police Station- Rampur, District- Gaya.
22. Binit Chhetry Son of Bishnu Chhetry, Resident of Village- JAP-1, Doranda, Police Station- Doranda, District- Ranchi (Jharkhand).
23. Praveen Mukhia Son of Chandra Bahadur Mukhia, Resident of Village- Palung Dung Basti, Riyang, Police Station- Jorbangla, District- Darjeeling (W.B.).

... .. 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 (Central Division), Patna.
8. The Commandant, BSAP-1, Patna.
9. The Commandant, BSAP-5, Patna.
10. The Commandant, BSAP (North Division), Muzaffarpur.
11. The Commandant, BMP-10, Patna.
12. The Principal Secretary, Finance Department, Govt. of Bihar, Patna.
13. The Director P.F. Directorate, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Bindhyachal Singh, Sr. Advocate Mr. Vipin Kumar Singh, Advocate
For the Respondent/s	:	Mr. Arvind Ujjwal, SC-4



CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-06-2025 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/judgment dated 26.04.2024 passed in LPA NO.458/2021 (Srikant Dubey & Ors. vs. The State of Bihar & Ors.) as the petitioners are 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 relief which petitioners sought has squarely covered from the cases already decided by this Court in L.P.A. No.458 of 2021. Counsel submits that the petitioners have filed representation before the Commandant vide Annexures- P/7 and P/8 on which no decision has been till date.

4. Counsel subsequently relied on the judgment passed by this Court in CWJC No.6110 of 2025 and CWJC No.4620 of 2025. He submits that direction may be given to dispose off the representation.

5. Learned Counsel for the State, on the other hand, submits that by the order passed by this Hon'ble Court, a Committee has been constituted by the Director General of Police and matter has been referred which has been annexed by the petitioners themselves as Annexure-P/5.

6. In that view of the matter, this writ petition is disposed off directing directing the petitioners to represent before the said Committee constituted under Annexure-P/5 i.e., Memo No.422 dated 23.10.2024 within 30 days from today and



the said Committee shall decide the petitioners representation
also in the light of Bihar State Litigation Policy, 2011 within 90
days thereafter.

(Dr. Anshuman, J)

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