

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13133 of 2025

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Nesarul Haque Son of Late Md. Yasin, Resident of Village- Mohebelichak,
P.O.- Habibpur, P.S.- Jagdishpur in the district of Bhagalpur.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Home Department, Government of Bihar, Patna.
2. The Principal Secretary, Home Department, Government of Bihar, Patna.
3. The Inspector General (Jail), Government of Bihar, Patna.
4. The Director of Administration, Home Department (Jail), Government of Bihar, Patna.
5. The Superintendent, District Jail, Kaimur at Bhabhua.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Pankaj Kumar, Advocate
For the State : Mr. Additional Advocate General (5)

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 19-09-2025 Heard learned counsel for the petitioner and learned
counsel for the Respondent-State.

2. With the consent of both the parties, this writ
application is being disposed of at the present stage itself.

3. The petitioner in the present writ application has
prayed for the grant of following reliefs:-

*“I. To direct the respondents to grant
the benefit of 1 A.C.P. w.e.f. 3.1.2009
as the petitioner was promoted to the
post of Assistant Jailor on 3.1.1999
and thus he has completed the period
of 10 years on 3.1.2009.*



II. Also to direct the respondents to consider the case of the petitioner for grant of the benefit of A.C.P. w.e.f. 3.1.2009.

III. Also for any other relief/reliefs for which the petitioner is found in the eye of law.

4. Learned counsel for the petitioner submits that after the decision taken by the Finance Department, Government of Bihar, which is contained in Letter No. 4862 dated 29.04.2025 (Annexure-7), the petitioner for seeking the reliefs as prayed for in the present writ application has already filed a representation before the Inspector General (Jail), Government of Bihar, Patna (Respondent No. 3) dated 03.07.2025 (Annexure-8) and the same continues to be pending. Learned counsel for the petitioner submits that the petitioner would be satisfied if an appropriate direction could be issued to the Inspector General (Jail), Government of Bihar, Patna (Respondent No. 3) to dispose of the pending representation of the petitioner within a fixed time frame and also granting him liberty to file a supplementary representation in support of the pending representation.

5. To this prayer being made by the learned counsel for the petitioner, the learned counsel for the Respondent-State does not have any objection.



6. Considering the limited nature of prayer being made by the learned counsel for the petitioner, this writ application is disposed of directing the Inspector General (Jail), Government of Bihar, Patna (Respondent No. 3) to dispose of the pending representation of the petitioner dated 03.07.2025 (Annexure-8) on merit after giving an opportunity of hearing to the petitioner, by passing a reasoned and speaking order. The petitioner would be at liberty to file a supplementary representation within one month from the date of this order. The entire exercise must be completed by the Inspector General (Jail), Government of Bihar, Patna (Respondent No. 3) within a period of four months from the date of filing of the supplementary representation by the petitioner. Needless to emphasize that the final order which shall be passed by the Inspector General (Jail), Government of Bihar, Patna (Respondent No. 3) should be a reasoned and speaking order.

7. With the aforesaid observation and direction, the present writ application is disposed of. All pending Interlocutory Applications, if any, will stand disposed of.

(Alok Kumar Sinha, J)

Gaurav Sinha/-

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