

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12549 of 2025

1. Raghubir Prasad Yadav Son of Late Ramadhar Rai, Resident of Village- Patipur, Digha, Ghat, Painapur- Cum-Khagaul, Police Station- Digha, District - Patna and presently working as Havildar, SDRF, Bihta, Patna.
2. Anil Kumar Pradhan Son of Late Ganga Ram Pradhan, Resident of Village- Jaganathpur, Police Station- Jagarnathpur, District- Ranchi (Jharkhand) and Presently working as Havildar, SDRF, Bihta, Patna.
3. Karun Kumar Son of Ram Ekbal Prasad, Resident of Village- Asiya, Police Station- Natwar, District- Rohtas and Presently working as Havildar, SDRF, Bihta, Patna.
4. Basant Kumar Singh Son of Lalan Singh, Resident of Village- Ramsahar, Police Station- Barhara, District- Bhojpur (Ara) and Presently working as Havildar, SDRF, Bihta, Patna.
5. Vimal Sharma Son of Harinandan Singh, Resident of Village- Berar, Police Station - Rani Talab, District - Patna, and presently working as Havildar, SDRF, Bihta, Patna.
6. Manoj Paswan Son of Shiv Shankar Paswan, Resident of Village- Barki Kharari, Police Station - Kargahar, District- Rohtas, and Presently working as Havildar, SDRF, Bihta, Patna.
7. Uday Prasad Son of Sahbir Prasad, Resident of village- Rajpura, Police Station- Kaler, District- Arwal and Presently working as Havildar, SDRF, Bihta, Patna.
8. Ranjeet Ekka Son of Puhikarp Ekka, Resident of Village- Sarnadih, Police Station- Mahuadann, District- Latehar (Jharkhand) and Presently working as Havildar, SDRF, Bihta, Patna.
9. Bishnu Bahadur Chhetri Son of Lal Baharu Chhetri, Resident of Village - B.V. College, Phulwarisharif, Police Station- Airport, District- Patna and Presently working as Havildar, SDRF, Bihta, Patna.
10. Robin Thakuri Son of Mohan Thakuri, Resident of J.A.P. 01 Doranda, Police Station- Doranda, District- Ranchi (Jharkhand) and presently working as Havildar, SDRF, Bihta, Patna.
11. Sharwan Kumar Jha Son of Abhay Narayan Jha, Resident of Village- Dullipati, Police Station-Jay Nagar, District Madhubani, and Presently working as Havildar, SDRF, Bihta, Patna.



12. Ganga Sagar Prasad Gond son of Indradev Prasad, Resident of village- Simri, Police Station- Gayghat, District- Buxar, and Presently working as Havildar, SDRF, Bihta, Patna.
13. Arjun Thakur Son of Sidhnath Thakur, Resident of Village- Bruna, Police Station- Buxor, District - Buxar and Presently working as Havildar, SDRF, Bihta, Patna.
14. Laxman Paswan Son of Shri Hera Paswan, Resident of Village- Fatehpur, Police Station- Raghupur, District- Vaishali and Presently working as Havildar, SDRF, Bihta, Patna.
15. Amarjeet Kumar Son of Late Kameshwar Prasad Singh, Resident of Village- Koyala, Police Station- Pasraha, District - Khagaria, and Presently working as Havildar, SDRF, Bihta, Patna.
16. Ramesh Kumar Son of Late Ramchandra Mandal, Resident of Mohalla- Narayan Nagar Colony, Bari Mirzapur, P.S.- Kashim Bazar, District -Munger, and Presently working as Havildar, SDRF, Bihta, Patna.
17. Mithilesh Kumar Singh Son of Kanti Prasad Singh, Resident of Village- Birma, P.S.- Amarpur, District - Banka and Presently working as Havildar, SDRF, Bihta Patna.
18. Md. Faiyaz Ahmad Khan Son of Minnat Hussain Khan, Resident of Village- Ahilwara, P.S. - Biraul, District- Darbhanga and Presently working as Havildar, SDRF, Bihta, Patna.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Home (Police), Government of Bihar, Patna.
3. The Principal Secretary, Department of Finance, Government of Bihar, Patna.
4. The Home Secretary, Government of Bihar, Patna.
5. The Director General of Police, Bihar, Patna.
6. The Additional Director General of Police (HEADQUARTER), Bihar, Patna.
7. The Deputy Inspector General of Police (PERSONAL), Bihar, Patna
8. The Additional Director General of Police (MILITARY POLICE), Bihar Special Armed Police, Bihar, Patna.



9. The Commandant, SDRF, Bihta, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Suman Kumar Jha, Advocate
For the Respondent/s : Mr. Government Pleader-02

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 08-09-2025 Heard learned counsel for the petitioners and learned
counsel appearing for respondents-State.

2. The petitioners in the present writ application have
prayed for the grant of following reliefs:

“i) For issuance of appropriate writ in the nature of Mandamus commanding the respondents to re-fix the pay scale of the petitioners in the scale of 4000-6000 as a 1st ACP in the scale of ASI/Hawaldar and to grant the benefit of MACP which is being paid to the petitioners in the scale by 4000-6000 in place of pay scale of 3200-4900.

ii) To declare and hold that the petitioners falls under the literate cadre and accordingly, they are entitled to get 1st ACP/MACP in the scale 4000-6000 against the post of ASI/Hawaldar and the 2nd ACP/MACP in the scale of 5500-9000 against the post of S.I.

iii) To grant the same benefits as the applicant of LPA No. 458 of 2021 because all these petitioners have also been similarly



appointed between the years 1982 to 1992 except the petitioner no. 10, who is appointed in the year 1996.

iv) And to grant any other relief/relief(s) for which the petitioners are found entitled in the facts and circumstances of the case.”

3. Without going into the merits of the case, learned counsel for the petitioners submit that for the relief as claimed for in the present writ application the petitioners have filed representation dated 15.04.2025 and 28.04.2025 (Annexure-P/4 Series), which as per the learned counsel for the petitioners is still pending before the respondent no.9 i.e. Commandant, SDRF, Bihta, Patna.

4. Learned counsel for the petitioners, therefore, prays that the petitioners would be satisfied if an appropriate direction is issued to the respondent no.9 to dispose of the pending representations (Annexure-P/4 Series) within a fixed period of time after giving an opportunity of hearing to the petitioners.

5. Learned counsel appearing for respondents-State opposes the prayer made by learned counsel for the petitioners. Learned counsel for the respondents-State particularly has taken objection to the averments made by the petitioners in paragraphs-7,8,9 & 10 of the writ application on the ground that



no supporting documents have been filed by the petitioners in support of the averments made therein.

6. The submissions made by the learned counsel for the respondents-State has been noted only to be rejected for the reason that this Court is not making any observation on the merits of the case and only proposes to direct the respondent no.9 to dispose of the pending representations filed by the petitioners, in accordance with law.

7. Considering the limited nature of prayer made by learned counsel for the petitioners, this writ application is disposed of directing the respondent no.9 i.e. Commandant, SDRF, Bihta, Patna to dispose of the representations dated 15.04.2025 and 28.04.2025 (Annexure-P/4 Series) of the petitioners within three months from the date of production of a copy of this order after giving an opportunity of hearing to the petitioners, and if the petitioners are found entitled to the benefits/relief as prayed for by them, then the same should be granted to the petitioners within further period of one month from the date of passing of the final order by the respondent no.9. Needless to emphasize that the order which shall be passed by the respondent no.9 should be a reasoned and speaking order in accordance with law.



8. With the aforesaid observation and direction the present writ application is disposed of. Pending I.As, if any will be deemed to have been disposed of.

(Alok Kumar Sinha, J)

Prakash Narayan

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