

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14037 of 2025

1. Rajesh Rana Son of Late Jeet Singh Rana, Resident of Mohalla Salempur Dumra, Bhagtini Gali, Bhatnari College, Rukanpura, Patna, Police Station Airport, District Patna and Presently Working as Sub Inspector, BSAP-01, Patna.
2. Damber Rana, Son of Late Ratan Bahadur Rana, Resident of J.A.P.-I. Doranda, Police Station- Doranda, District - Ranchi (Jharkhand) and Presently Working as Sub Inspector, BSAP-01, Patna.
3. Pradip Singh Chhetri, Son of Late Kishore Singh Chhetri, Resident of Village Batasi, Police Station Khoribari, District Darjeeling (W.B.) and Presently Posted as Sub-Inspector, BSAP-01, Patna.
4. Pawan Pradhan, Son of Late Tufan Pradhan, Resident of J.A.R.-01, Doranda, Police Station Doranda, District Ranchi (Jharkhand) and Presently Working as Sub-Inspector, BSAP-01, Patna.
5. Ashok Kumar Giri, Son of Late Kalu Ram Giri, Resident of J.A.P.-01, Doranda, Police Station- Doranda, District Ranchi (Jharkhand) and Presently Working as Sub-Inspector, BSAP-01, Patna.
6. Bijay Tamang, Son of Late Jas Bahadur Tamang, Resident of Village Dooteriah (T.E.) Tamang Tola, Police Station Jorebunglow, District - Darjeeling (W.B.) and Presently working as Sub-Inspector, BSAP-01, Patna.
7. Man Bahadur Thapa, Son of Late Padam Bahadur Thapa, Resident of J.A.P.-01, Hindoo, Police Station Doranda, District Ranchi (Jharkhand) and Presently working as Sub-Inspector, BSAP-01, Patna.
8. Ramesh Kumar Limboo, Son of Makar Jang Limboo, Resident of Village Ramgarh Dudha Devi, Celement Town, Police Station Celement Town, District Dehradun (Uttarakhand) and Presently working as Sub-Inspector, BSAP-01, Patna.
9. Parmender Singh Rana, Son of Late Gulab Singh Rana, Resident of Village new Basti, Celement Town, Police Station Celement Town, District Dehradun (Uttarakhand) and Presently working as Sub-Inspector, BSAP-01, Patna.
10. Satish Thapa, Son of Late Home Bahadur Thapa, Police Station Doranda, District Ranchi (Jharkhand) and Presently working as Sub-Inspector, BSAP-01, Patna.
11. Aash Bahadur Gurung, Son of Late Beljung Gurung, Resident of J.A.P.-01, Doranda, Police Station District Doranda, Ranchi (Jharkhand) and Presently working as Sub-Inspector, BSAP-01, Patna.
12. Arun Pradhan, Son of Late Hari Narayan Pradhan, Resident of Village Simalia, Daladali, Police Station Ratu, District Ranchi (Jharkhand) and Presently working as Sub-Inspector, BSAP-01, Patna.
13. Dhan Kumar Singh, Son of Aita Singh, Resident of East Main Road, Kalimpong, Police Station Kalimpong, District Kalimpong (W.B.) and Presently working as Sub-Inspector, BSAP-01, Patna.
14. Satish Kumar Rana, Son of Late Rupdhar Rana, Resident of J.A.P.-01, Doranda, Police Station Doranda, District Ranchi (Jharkhand) and Presently working as Havildar, BSAP-01, Patna.
15. Amrit Lal Tamang, son of Late Padam Singh Tamang, Resident of Village Lower, Sirubari, Police Station Kurseong, District Darjeeling (W.B.) and



Presently working as Sub-Inspector, BSAP-01, Patna.

16. Nal Bahadur Vishwakarma, Son of Late Bal Bahadur B.K. Resident of Ward No. 03, Lihiya Path, Sundar Nagar, Rukanpura, Police Station Airport, District Patna and Presently working as Sub-Inspector, BSAP-01, Patna.
17. Raju Chhetry, Son of Late Ganga Bahadur Chhetry, Resident of BMP-01, Phlwarisharif, Police Station Hawaiadda, District Patna and Presently working as Sub-Inspector BSAP-01, Patna.
18. Basant Bahadur Thapa, Son of Late Sher Bahadur Thapa, Resident of Village Ward No. 12, Sidhartha Nagar, Police Station Nautanwa, District Maharajganj (U.P.) and Presently working as Sub-Inspector, BSAP-01, Patna.
19. Sukbir Tamang, Son of Late A.K. Tamang, Resident of Village Fubsiring T.E., Police Station Lebong, District-Darjeeling (W.B.) and Presently working as Sub-Inspector, BSAP-01, Patna.
20. Prakash Lama, Son of Late Some Lama, Resident of J.A.R.-01, Boranda, Police Station Doranda, District Ranchi (Jharkhand) and Presently working as Sub- Inspector, BSAP- 01, Patna.
21. Arjun Bahadur Khatri, Son of Indra Bahadur Khatri, Resident of J.A.P.-01, Doranda, Police Station Doranda, District Ranchi (Jharkhan) an Presently working as Sub-Inspector, BSAP-01, Patna.
22. Kumar Chhetri, Son of Late Bir Bahadur Chhetri, Resident of J.A.P.-01, Doranda, Police Station Doranda, District Ranchi (Jharkhand) and Presently working as Sub-Inspector, BSAP-01, Patna.
23. Shankar Bahadur Pradhan, Son of Late Jeet Bahadur Pradhan, Resident of Village - Mangal Bazar, Gauria Karma, Police Station Barhi, District Hazaribagh (Jharkhand) and Presently working as Sub-Inspector, BSAP-01, Patna.
24. Sunil Kumar Rai, Son of Late Tula Singh Rai, Resident of Police line, Police Station Hazaribagh, District Hazaribagh (Jharkhand) and Presently working as Sub-Inspector, BSAP-01, Patna.
25. Karna Bahadur Thapa, Son of Late Sher Bahadur Thapa, Resident of J.A.P.-01, Doranda, Police Station Doranda, District Ranchi (Jharkhand) and Presently working as Sub-Inspector, BSAP-01, Patna.
26. Ram Bahadur Nepali, Son of Bhim Bahadur Nepali, Resident of J.A.P.-01, Doranda, Police Station Dorenda, District Ranchi Jharkhand) and Presently working as Sub-Inspector, BSAP-01, Patna.
27. Lil Bahadur Thapa, Son of Late Gam Bahadur Thapa, Resident of J.A.P.-01, Dorenda, Police Station Doranda, District Ranchi (Jharkhand) and Presently working as Sub-Inspector, BSAP-01, Patna.
28. Dev Singh Rana, Son of Late Prem Singh Rana, Resident of Village Sungar Basti, Police Station Pithoragarh, District - Pithoragarh (U.P.) and Presently working as Sub-Inspector, BSAP-01, Patna.
29. Pradeep Kumar Thapa, Son of Late Bhairo Bahadur Thapa, Resident of 28A, Birsha Nagar, Police Station Saloni Colony, Toal No. 07, Jamshedpur, Golmuri, District- East Singhbhum (Jharkhand) and presently working as Sub-Inspector, BSAP- 01, Patna.



30. Prakash Gurung Son of Late Megraj Gurung, Resident of Ward No. 96, Badripur, Police Station Nehru Colony, District Dehradun (Uttarakhand) and Presently working as Sub-Inspector, BSAP-01, Patna.
31. Binay Rai, Son of Late Mangal Singh Rai, Resident of J.A.P.-01, Doranda, Police Station Doranda, District Ranchi (Jharkhand) and Presently working as Sub-Inspector, BSAP-01, Patna.
32. Kamal Singh, Son of Late Hari Singh, Resident of Village - Nalapani, Police Station Raipur, District Dehradun (Uttarakhand) and Presently working as Inspector, BSAP-01, Patna. Sub.
33. Mahendra Kumar Mothey, Son of Late Chandra Kumar Mothey, Resident of Arbind Ashram, Doranda, Ranchi-2, Police Station Doranda, District Ranchi (Jharkhand) and Presently working as Sub-Inspector, BSAP-01, Patna.
34. Krishana Kumar Thapa, Son of Late Dhan Bahadur Thapa, Resident of J.A.P.-01, Doranda, Police Station Doranda, District Ranchi (Jharkhand) and Presently Working as Sub-Inspector, BSAP-01, Patna.
35. Ajay Shankar Khati, Son of Late Tek Bahadur Sunar, Resident of J.A.P.-01 New Hospital line, Doranda, Police Station Doranda, District Ranchi (Jharkhand) and Presently Working as Sub-Inspector, BSAP-01, Patna.
36. Ramesh Kumar Pradhan, Son of Padam Lal Pradhan, Resident of BASCO Nagar, Hessag, Police Station Jagannathpur, District - Ranchi (Jharkhand) and Presently working as Sub-Inspector, BSAP-01, Patna.
37. Jitendra Thapa, Son of Late Balibir Singh Thapa, Resident of Village Ramgardi Clement Town, Police Station Clement Town, District Dehradun (Uttarakhand) and Presently working as Sub-Inspector, BSAP-01, Patna.
38. Laxman Bahadur Thakuri, Son of Late Ratan Bahadur Thakuri, Resident of J.A.P.-01, Doranda, Police Station Doranda, District Ranchi (Jharkhand) and Presently working as Sub-Inspector, BSAP-01, Patna.
39. Hit Bahadur Chhetry, Son of Late Kul Bahadur Chhetry, Resident of Village Algara Bazar, Police Station Algara Bazar, District Darjling (W.B.) and Presently working as Sub-Inspector, BSAP-01, Patna.
40. Pravin Tamang, Son of Late Hark Bahadur Tamang, Resident of Arvind Ashtam, Doranda, Police Station Doranda, District Ranchi (Jharkhand) and Presently working as Sub-Inspector, BSAP-01, Patna.
41. Raja Ram Thapa, Son of Late Ram Singh Thapa, Resident of Village Laxmipur, Police Station Prem Nagar, District Dehradun (Uttarakhand) and Presently retired. from Havildar, BSAP-01, Patna.
42. Raghu Gurung, Son of Late Dal Bahadur Gurung, Resident of Quarter No. H-59, H.S.L. Colony, Doranda, Police Station Doranda, District Ranchi (Jharkhand) and Presently working as Sub-Inspector, BSAP-01, Patna.
43. Jung Bahadur Sharma, Son of Late Ram Chandra Sharma, Resident of TangraToli, Sanjay Gandhi Path, Lohardaga, Police Station and District - Lohardaga and Presently working as Sub-Inspector, BSAP-01, Patna.
44. Suraj Kumar Gurung, Son of Late Prem Bahadur Gurung, Resident of BSAP-01, Gorkha Wahini, B.V. College, Phulwarisharif, Police Station Phulwarisharif, District Patna and Presently working as Havildar, BSAP-01, Patna.



45. Anil Karki, Son of Late Dan Bahadur Karki, Resident of Village Mohebewala, Police Station Patel Nagar, District Dehradun (Uttarakhand) and Presently working as Sub-Inspector, BSAP-01, Patna.
46. Naresh Kumar Tamang, Son of Late Dhan Singh Tamang, Resident of G.A.P. Doranda, Police Station Doranda, District Ranchi (Jharkhand) and Presently working as Sub-Inspector, BSAP-01, Patna.
47. Dhal Bahadur Thapa, Son of Sher Bahadur Thapa, Resident of BMP-1, BVC Campus, P.S. Airport, District Patna and Presently retired from Havildar, BSAP-1, Patna.
48. Pemba Dukpa, Son of Dawa Dukpa, Resident of village Bijan Bari, P.S. Bijan Bari, District Darjeeling (West Bengal) and Presently retired from Havildar, BSAP-1, Patna.
49. Lila Bahadur Thapa, S/o of Late Lal Bahadur Thapa, Resident of District BMP 1, Near Airport, Rukanpura, P.S. Airport, Patna and Presently retired from Sub-Inspector, BSAP-1, Patna.
50. Gautam Sunam, Son of Late Babu Ram Darjee, Resident of Mohalla JAP-1. Doranda, P.S. Doranda, District Ranchi (Jharkhand) and Presently retired from Havildar, BSAP-1, Patna.
51. Tej Bahadur Chhetri, Son of Late Karn Bahadur Chhetri, Resident of JAP-1, Doranda, P.S. Doranda, District Ranchi and Presently retired from Sub Inspector, BSAP-1, Patna.
52. Rishi Bahadur Rana, Son of Damar Bahadur Rana, Resident of J.A.P.-1, Doranda, P.S. Doranda, District Ranchi (Jharkhand) and Presently retired from Sub-Inspector, BSAP-1, Patna.
53. Kajiman Shahi, Son of Late Man Bahadur Shahi, Resident of JAP-1, Doranda, P.S. Doranda, District Ranchi (Jharkhand) and Presently retired from Sub-Inspector, BSAP-1, Patna.
54. Jagat Bahadur Pariyar, Son of Late Khim Bahadur Pariyar, Resident of JAP-1, Doranda, P.S. Doranda, District - Ranchi (Jharkhand) and presently retired from Sub-Inspector, BSAP-1, Patna.
55. Nil Bahadur Gurung, Son of Moti Lala Gurung, Resident of Near Water Tank Dhurba, P.S. Dhurba, District - Ranchi (Jharkhand) and Presently working Sub-Inspector, BSAP-1, Patna.
56. Dharmendra Singh Thapa, Son of Late Balveer Singh Thapa, Resident of Village Ramgarh, P.S. - Clement Town, District Dehradun (Uttarakhand) and Presently working as Sub-Inspector, BSAP-1, Patna.
57. Krishna Bahadur Rana, Son of Late Pahal Singh Rana, Resident of Mandhar Family Hospital Road, Mandhar, P.S. -Mandhar, District Ranchi (Jharkhand) and Presently working as Sub-Inspector, BSAP-01, 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, Bihar Special Armed Police (BMP)-1, Patna.
- Respondent/s

Appearance :

For the Petitioner/s : Mr. Suman Kumar Jha, Advocate
For the Respondent/s : Mr. Standing Counsel 11

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 13-10-2025 Heard learned counsel for the petitioners 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 petitioners in the present writ application have prayed for the 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 1^a 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 1986 to 1993.

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

4. Learned counsel for the petitioners submits that for seeking the reliefs as claimed for in the present writ application, the petitioners have already filed a representation dated 16.05.2025 (Annexure-P/4 Series) before the Commandant, Bihar Special Armed Police (BMP)-1, Patna (Respondent No. 9) which continues to be pending. Learned counsel for the petitioners, therefore, submits that the petitioners would be satisfied if an appropriate direction could be issued to the Commandant, Bihar Special Armed Police (BMP)-1, Patna (Respondent No. 9) to dispose of their representation on merit after giving an opportunity of hearing to the petitioners, by passing a reasoned and speaking order.

5. To this prayer being made by the learned counsel



for the petitioners, the learned counsel for the Respondent-State does not have any objection.

6. Considering the limited nature of prayer being made by learned counsel for the petitioners, this writ application is disposed of directing the Commandant, Bihar Special Armed Police (BMP)-1, Patna (Respondent No. 9) to dispose of the pending representation of the petitioners dated 16.05.2025 (Annexure-P/4 Series) on merit after giving an opportunity of hearing to the petitioners, by passing a reasoned and speaking order. The entire exercise must be completed within a period of four months from the date of production of a copy of this order by the petitioners. Needless to emphasize that the final order which shall be passed by the Commandant, Bihar Special Armed Police (BMP)-1, Patna (Respondent No. 9) 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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