

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16161 of 2025

1. Suraj Kumar Son of Garib Shah, Resident of Village- Mansari Tola, Ward No.-34, P.S.- Kasim Bazar, District- Munger.
2. Ram Pujan Kumar, Son of Late Munarik Paswan, Resident of Village- Beldari Chak, PO- Murika, P.S.- Paliganj, District- Patna, Pin- 801110.
3. Ramsihasan Kumar, Son of Late Sachu Prasad, Resident of Village- Kayampur, P.O and P.S- Khushrupur, District- Patna.
4. Satendra Kumar, Son of Shashi Bhushan Prasad, Resident of Village- Atram Chak, PO- Ekangar Dih, P.S. and Block- Ekangar Sarai, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home, Government of Bihar, Patna.
2. The Principal Secretary, General Administration Department, Government of Bihar.
3. The Director General of Police, Bihar, Patna.
4. The Additional Director General of Police Head Quarter, Bihar, Patna.
5. The Inspector General of Police, Darbhanga Range Darbhanga.
6. The Inspector General of Police, Tirhut Range Muzaffarpur.
7. The Inspector General of Police, Magadh Range Gaya.
8. The Superintendent of Police, Madhepura.
9. The Superintendent of Police, Sitamarhi.
10. The Superintendent of Police, Jehanabad.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Rakesh Ranjan, Advocate
For the Respondent/s	:	Mr. Sheo Shankar Prasad, SC-8
		Mr. Sanjay Kumar, AC to SC-8

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

2 01-12-2025 The petitioners have filed the instant writ petition for the following reliefs:-

(i) For issuance of an appropriate writ/order/direction in the nature of certiorari for quashing the order bearing memo



No.106 dated 15.06.2021 issued under the signature of Assistant (Welfare) of Director General of Police, Bihar whereunder a decision was taken to end the services of contractual driver, constables and in any event after 31.07.2021 they will be not paid any remuneration with a direction to serve a one month notice upon the petitioner in terms of Clause-9 of the agreement. (Annexure-19).

(ii) To issue an appropriate writ/order/direction in the nature of mandamus commanding the respondents to regularize the service of the petitioner who were appointed on the post of Sepoy Driver on the basis of the representation dated 12.10.2018 before the respondents in compliance of the direction made in the order dated 06.09.2017 passed in CWJC No. 16505 of 2014 and in LPA No. 1648 of 2017 in its order dated 17.04.2018 as well as order dated 16-05-2024 passed in CWJC No- 13895 of 2021.

(iii) o issue an appropriate writ/order/direction in the nature of mandamus commanding the respondents to allow the petitioner to continue on the post of Sepoy Driver on contractual till their age of retirement i.e. 60 years against the vacant sanctioned post of Driver in the police department.

(iv) To issue an appropriate writ/order/direction in the



nature of mandamus commanding the respondents not to implement the order bearing memo no. 106 dated 15.06.2021 issued under the signature of Assistant (Welfare) of Director General of Police, Bihar and allowed to be continued on the post of Sepoy Driver till the pendency of the main writ application.

(v) For issuance of any other appropriate writ/writs, order/orders, direction/directions for which the writ petitioner would be found entitled under the facts and circumstances of the case.”

2. It is the case of the petitioners that they were appointed as Sipahi Driver on being selected on contractual basis as per Advertisement No.01/2010 issued in a daily newspaper “Dainik Jagaran”. Subsequently, the petitioners appointment was not regularized inspite of the writ-courts order and he was terminated from service. Thereafter, the petitioners have filed the instant writ petition while a contempt application for non-consideration of the previous representation is pending before the Authority in terms of the order passed by this Court in CWJC No.13895 of 2021 and L.P.A. No.1123 of 2024.

3. On perusal of the materials on record, this Court does not find the initial letter of appointment of the petitioners in the record. However, the petitioners are entitled to have their



representation dated 12.10.2018 disposed of by the concerned respondents. Therefore, the writ petition is allowed in terms of Prayer No.(ii).

4. The respondents are directed to dispose of the representation of the petitioner dated 12.10.2018, within six weeks' from the date of this order giving opportunity to the respondents or his authorized representative of hearing.

5. The instant writ petition is, thus, disposed of in accordance with law.

(Bibek Chaudhuri, J)

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