

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21931 of 2019

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Rajendra Pratap Singh, Son of Late Awadesh Singh, Residing in House No. 801/1A/2, at and P.O.- Dhanaut, Mahuabag, P.S.- Rupaspur (West of Mansarowar Apartment and Plutos Oasis Apartment, Patna-801506.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Finance, Government of Bihar, Patna.
2. The Senior Superintendent of Police, Patna.
3. The Superintendent of Rail Police, Patna.
4. The Director General of Police, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar, Advocate
For the Respondent/s	:	Mr. Manish Kumar, GP-4
		Mr. Rajesh Kumar, AC to GP- 4

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL JUDGMENT

Date : 18-06-2025

Heard Mr. Rajesh Kumar, learned Advocate for the petitioner and Mr. Manoj Kumar, learned Advocate for the State.

2. The petitioner has invoked the jurisdiction of this Court seeking a direction to the respondents to extend the benefit, as has been accorded to the identically situated persons in the light of the order/judgment dated 20.10.2014 passed in C.W.J.C. No. 22851 of 2013 (**Raktima Rakshit Vs. The State of Bihar & Ors.**), which decision is said to have been affirmed up to the Hon'ble Supreme Court. Reliance has also been placed on a Full Bench decision of this Court in the case of **Kamlanand Thakur Vs. State of Bihar & Ors.**, reported in,



2024 (4) BLJ 806.

3. Referring to Annexure-1, the decision rendered in the case of **Raktima Rakshit** (supra) it is contended that the case of the petitioner is exactly identical, however, notwithstanding the aforesaid fact, the petitioner has been denied the benefit of ACP/MACP.

4. Learned Advocate for the State submitted that since no instruction has been received from the concerned department and, as such, the claim of the petitioner is required to be verified and considered at the level of the department.

5. Considering the submissions advanced and the limited grievance of the petitioner, this Court deems it apt and proper to dispose of the writ petition with a direction to respondent no.2 to consider the claim of the petitioner in the light of the decision passed by the Full Bench of this Court in **Kamlanand Thakur** (supra) as also in the case of **Raktima Rakshit** (supra), which came to be affirmed by the learned Division Bench of this Court as well as Hon'ble Supreme Court preferably within a period of twelve weeks from the date of receipt/production of a copy of this order.

6. Suffice it to observe that if the claim of the petitioner finds identical to case of **Kamlanand Thakur** and



Raktima Rakshit (supra), similar benefit is to be accorded to the petitioner.

7. The writ petition stands disposed of.

(Harish Kumar, J)

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AFR/NAFR	NAFR
CAV DATE	NA
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