

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.18250 of 2025**

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Jaykant Sharma, Son of Madhwesh Dutt Sharma, R/o 15/48, 48 Block, CID Colony, P.S. Shastri Nagar, District- Patna- 800023.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. Director General of Police, Bihar, Patna.
3. Additional Director General of Police, Bihar Special Armed Police, Bihar, Patna.
4. Assistant Inspector General of Police, Welfare, Bihar, Patna.
5. The D.I.G. of Police, Military Police, Now known as Bihar Special Armed Police, Central Zone, Patna.
6. The Commandant, BSAP-14, Patna.

... .. Respondent/s

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**Appearance :**

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|----------------------|---|--------------------------------------|
| For the Petitioner/s | : | Mr. Ram Hriday Prasad, Advocate      |
| For the Respondent/s | : | Mrs. Archana Meenakshee, G.P.-6      |
|                      |   | Mr. Prabhat Ranjan, A.C. to G.P.-6   |
|                      |   | Mr. Harish Singh, A.C. to G.P.-6     |
|                      |   | Mr. Rana Veer Prawar, A.C. to G.P.-6 |
|                      |   | Mr. Rohit Singh, A.C. to G.P.-6      |

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

2      10-12-2025                      Heard learned counsel for the petitioner and learned counsel for the respondents.

2. The petitioner has filed the instant application for the following relief(s):

*“(i) To set aside the order of Assistant Inspector General of Police, Bihar, Patna dated 2.8.2022 (Annexure-P/8) by which direction was given to revert those employees in original cadre (Constable), who were absorbed on the post of driver constable from learner driver after 15.7.2011.*

*(ii) To set aside the order of commandant,*



*BSAP-14, Patna by which order was passed to change the cadre of petitioner from driver cadre to original cadre (Constable) and to revert the petitioner from the post of driver Hawildar to constable and order was passed to adjust the petitioner in general constable category against substantive vacancy.*

*(iii) To grant the seniority of the petitioner in the rank of driver constable and thereafter in the rank of driver Hawildar as per seniority of learner driver appointed along with the petitioner on 27.10.2000.*

*(iv) For grant of all consequential benefits.”*

3. The case of the petitioner in brief is that though he was appointed as a learner Driver prior to 15.7.2011 when Rule 1186 came to be amended, he has been adversely affected by order dated 2.8.2022 passed by the Assistant Inspector General of Police, Bihar, Patna reverting the employees in original cadre (Constable).

4. Learned counsel for the petitioner submits that the case of the petitioner is fully covered by the judgment dated 8.10.2024 passed in CWJC no.1756 of 2023. Referring to the Office Order no.265 of 2010 dated 23.3.2010, it is submitted that the petitioner was appointed on 5.1.2001. Learned counsel further in reference to order dated 16.7.2025 (Annexure P/11) submits that a number of persons similarly situated to the petitioner who were reverted back, their position was



subsequently restored. Inspite of the petitioner having filed representation before the respondents vide representation dated 24.8.2025, no response has been received and the same continues to remain pending.

5. Having heard learned counsel for the parties and having perused the contents of the petition, the instant application is disposed of directing the petitioner to file a representation before the D.I.G. of Police, Military Police, Now known as Bihar Special Armed Police, Central Zone, Patna (respondent no.5)/the Commandant, BSAP-14, Patna (respondent no.6)/concerned respondent with respect to the reliefs prayed for in the instant application within a period of four weeks.

6. The respondent concerned shall decide the representation of the petitioner taking into account the judgment of this Court as also other points raised by the petitioner in his application within a period of two months from the date of its filing.

7. The consequential benefits etc. found payable shall be paid to the petitioner within two months from the date of disposal of the representation.

8. It is made clear that the Court has not gone into the



merits of the case of the petitioner which is to be decided by the respondent concerned.

9. The application stands disposed of with the above observations and directions.

**(Partha Sarthy, J)**

Saurabh/-

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