IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14633 of 2016

CNR No. BRHC010133872016

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Arjun Kumar Chhetri son of Nar Bahadur Chhetri, Presently Working as Driver-cum-Havildar, 39, Bihar Military Police-1, Veterinary College, Patna, P.S. Hawai Adda, District- Patna.

... ... Petitioner/s

Versus

1. The State Of Bihar
2. The Secretary, Home Police Department, Government of Bihar, Patna.
3. The Additional Secretary, Home Police Department, Government of Bihar, Patna.
4. The Director General of Police, Bihar, Patna.
5. The Additional Director General of Police, Military Police, Bihar, Patna.
6. The Commandant Bihar Military Police- 1, Veterinary College, Patna.

... ... Respondent/s

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Appearance :
For the Petitioner/s : Mr.Vijay Kumar Singh, Advocate
For the Respondent/s : Mr.Md.Nashrul Hoda Khan, SC-1

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

2 04-11-2026 Heard the parties.

2. The present writ petition has been filed seeking the following reliefs:-

"(I) For issuance of an appropriate writ in the nature of MANDAMUS commanding and directing the Respondent Authorities to exempt the Gorkha Battalion , Bihar Military Police-1,Patna for submitting their option for posting them in other Forces on account of their promotional post pursuant to memo no.822 dated 17.08.2016 issued under the signature of Respondent no.5 on the ground that Gorkha Battalion, Bihar Military Police 1, Patna is a close cadre since in the said force

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only the Gorkha of Indian region has been appointed as like the Bihar Military Police- 16 in which only Ex-Army Man has been appointed.

(II) For issuance of an appropriate writ in the nature of MANDAMUS commanding and directing the Respondent Authorities to prepare the separate seniority list of Gorkha Battalion, Bihar Military Police- 1 for all the purposes on the ground that the said Force is the close cadre and the person of the said cadre could not be posted in any other Force since they belongs to a separate class and culture of the society of the Indian Region.

(III) 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."

3. Learned counsel for the petitioner submits that relief no. 1(I) has been granted, but relief no. 1(II) is still pending with the respondents.

4. In these circumstances, petitioner is permitted to file a fresh representation before the Director General of Police, Government of Bihar who will consider and dispose of the same with a reasoned order within six weeks of production/ communication of a copy of this order and communicate the same to the petitioner.

5. Accordingly, this application stands disposed of.

6. Let a copy of this order be communicated through

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FAX or e-mail to the Director General of Police, Government of Bihar for its compliance.

(Sandeep Kumar, J)

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