

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6619 of 2025

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Ravi Ranjan Singh S/o- Sri Rameshwar Singh, Resident of Village- Kuiyan,
P.S.- Barhara, District- Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar through The Chief Secretary, Govt. of Bihar, Patna.
2. Additional Chief Secretary, Department of Home, Bihar, Patna.
3. Additional Chief Secretary, Department of Finance, Government of Bihar, Patna.
4. Secretary (Resources), Department of Finance, Bihar, Patna.
5. D.G. of Police, Bihar, Patna.
6. A.D.G. (budget appeal and welfare), Bihar, Patna.
7. A.D.G. Special Branch, Bihar, Patna.
8. I.G. Special Branch, Bihar, Patna.
9. D.I.G. Special Branch, Bihar, Patna.
10. S.P. (A) Special Branch, Bihar, Patna.
11. Accountant Special Branch, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mrs. Shruti Sinha, Advocate Mr. Ebrahim Kabir, Advocate
For the State	:	Mr. Prabhakar Jha, GP-27 Mr. Mukund Mohan Jha, AC to GP-27

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 13-07-2026 Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. The petitioner has filed the instant application
praying for quashing the order dated 23.9.2024 passed by the
Additional Director General of Police, Special Branch, Bihar,
Patna, the order dated 10.9.2024 passed by the Superintendent
of Police (A), Special Branch, Bihar, Patna and also for



quashing the letter dated 31.7.2023 issued under the signature of the Superintendent of Police (A), Special Branch, Bihar, Patna.

3. The facts in brief are that the petitioner moved this Court vide CWJC no.5638 of 2024 for the reliefs as stated herein above. The said writ application was disposed of by order dated 18.4.2024 in the following terms:

“2. At the outset, the learned counsel for the petitioner seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioner to approach the respondent-authorities for redressal of his aforesaid grievances. Liberty so sought is granted.

3. The present writ petition stands disposed off as not pressed.”

4. It is submitted by learned counsel for the petitioner that the petitioner filed a representation pursuant to the liberty granted vide aforesaid order dated 18.4.2024 which came to be rejected vide orders dated 23.9.2024 (Annexure- P/12) and 10.9.2024 (Annexure-P/13) in view of the order dated 31.7.2023 (Annexure-P/1) issued under the signature of the Superintendent of Police (A), Special Branch, Bihar, Patna.

5. Learned counsel for the petitioner submits that differing from the house rent allowance admissible and payable to the other Government employees, so far as the police personnel are concerned, they were getting house rent allowance provided by the Home Police Department in terms of the letter



dated 30.7.1979 and 17.10.1979. Even the State Government which came out with its resolution dated 14.5.1980 clearly stipulates therein that the provisions regarding payment of house rent allowance payable to the other Government employees would not have any effect on the same payable to the police personnel. By order dated 11.10.2017, the house rent allowance payable to the State Government employees were revised. It is submitted that the respondent authorities have committed an error in coming out with the letter dated 31.7.2023 (Annexure-P/1) under the signature of the Superintendent of Police (A), Special Branch, Bihar, Patna whereby following the decision of the Finance Department contained in memo no.6011 dated 10.7.2023 issued under the signature of the Secretary (Resources), Finance Department, Government of Bihar, a decision has been taken that the police personnel including the petitioner herein would be paid house rent allowance in accordance with their place of posting.

6. Learned counsel for the petitioner submits that it is following this order dated 31.7.2023 that the representation of the petitioner has been rejected by orders dated 23.9.2024 (Annexure-P/12) and 10.9.2024 (Annexure-P/13). It is submitted by learned counsel for the petitioner that there being a



clear decision of the State Government as stated herein above contained in its resolution dated 14.5.1980 that the provision with respect to payment of house rent allowance so far as the police personnel is concerned, will not change in view of the change of the allowance of the other State Government employees, the respondents have committed an error in coming out with the impugned order dated 31.7.2023. Hence the impugned orders contained in Annexure-P/1, Annexure-P/12 and Annexure-P/13 be set aside and the writ application be allowed directing the respondents to pay the house rent allowance to the petitioner in accordance with his headquarters which is at Patna irrespective of his place of posting.

7. The application is opposed by learned counsel for the respondents. Learned counsel for the respondents submits that firstly the petitioner having moved this Court earlier in CWJC no.5638 of 2024 and the same having been disposed of as not pressed by order dated 18.4.2024, the instant application for the same relief is barred by principles of resjudicata. It is further submitted that the Special Branch has come out with the order dated 31.7.2023 based on the memo dated 10.7.2023 of the Finance Department, Government of Bihar wherein a policy decision was taken by the State Government that the



Government servants including the police personnel would be paid the house rent allowance and transportation allowance as per their actual working place of deputation or posting and as per the rate specified therein. It is thus submitted that there is no merit in the instant writ application and the petitioner has not made out any ground for interference in the policy decision of the State Government as contained in its order dated 31.7.2023 following the Finance Department memo dated 10.7.2023.

8. Heard learned counsel for the parties and perused the material on record.

9. The petitioner moved this Court earlier vide CWJC no.5638 of 2024 which was disposed of as not pressed, however granting liberty to the petitioner to approach the respondent authorities for redressal of his aforesaid grievances. The representation of the petitioner having been rejected by the impugned orders contained in Annexure-P/11 and P/12 to the writ application, the contempt application (MJC no.2534 of 2024) filed by the petitioner which was pending was disposed of by order dated 13.12.2024 granting liberty to challenge the order rejecting the petitioner's application.

10. In view of the above, the Court is of the opinion that so far as the writ application of the petitioner is concerned,



the same will not be barred by the principles of resjudicata.

11. So far as the merits of the case of the petitioner to challenge the impugned orders are concerned, Annexure-P/12 and Annexure-P/13 have been passed following the decision of the Special Branch as contained in its order dated 31.7.2023 (Annexure-P/1).

12. A perusal of the order dated 31.7.2023 (Annexure-P/1) would show that following the Finance Department, Government of Bihar memo no.6011 dated 10.7.2023, a decision has been taken by the State Government that all Government employees would be paid the house rent allowance as per the place of posting or the place of their deputation.

13. So far as the Finance Department memo no.6011 dated 10.7.2023 is concerned, the same is not under challenge in the instant writ application.

14. It may be observed here that the policy decision of the Government may be interfered with by the Court only if it is in violation of the fundamental rights or statutory provisions, lack of legislative or executive competence, suffers from manifest arbitrariness or on the ground of it being unreasonable. In the opinion of the Court, the petitioner has not made out any case for interference in the order dated 31.7.2023 (Annexure-



P/1).

15. In view of the facts and circumstances stated herein above, in the opinion of the Court, the petitioner has not made out the case for challenge to the policy decision of the State Government with respect to grant of house rent allowance uniformly to all the Government employees including that of the police personnel to which the petitioner belongs. In fact, as stated above, the Finance Department memo no.6011 dated 10.7.2023 is not even under challenge in the instant application.

16. In view of the facts and circumstances stated herein above, the Court finds no merit in the instant application.

17. The application is dismissed.

(Partha Sarthy, J)

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