

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9667 of 2025

1. Birendra Ram Son of Jhappo Ram, Resident of Village- Kumadpur, P.S.- Rangara Chowk, District- Bhagalpur (Bihar).
2. Ram Gulam Ram, Son of Balkeshwar Ram, Resident o village- Raji, P.O- Raji, P.S.- Kharondhi, District- Garhwa.
3. Sidiu Banra, Son of Hari Banra, Resident of Nuvagaon (Lagiya Tola), P.S. Sonwa, District- West Singhbhum, (Jharkhand).
4. Karam Singh Banra, son of Mari Banra, P.O. Lagiya Tola, P.S. Sonwa, District- West Singhbhum (Jharkhand)
5. Uday Paswan, son of Late Chamru Paswan, Resident of Village- Jamalpur, Paswan Tola, P.O.-Jamalpur, P.S.- Gegari, District- Khagaria (Bihar).
6. Ram Kumar Yadav, son of Late Sukhdev Prasad Yadav, resident of Village- Naya Ramnagar, P.S. Jamalpur, P.S. Naya Ramnagar, District- Munger.
7. Fekan Ray, son of Late Ramprit Ray, Resident of Village- Patpara, P.O. Uttar Patpara, P.S. Vibhutipur, District- Samastipur (Bihar).
8. Sidheshwar Prasad, son of Kamo Paswan, Resident of Village- Budhanji Chak, P.S.- Barh, District- Patna.
9. Santosh Mahto, son of Late Nandlal Mahto, Resident of Village- Paralwadi, P.O.- Galodi, P.S.- Cauchiji, District- Sabai Kela Kharwa (Jharkhand).
10. Himachal Pandey, son of Late Harihar Pandey, Resident of Village- Madhopur, P.O.- Pokhra, P.S. Mahrajanj, District- Siwan (Bihar).
11. Navesh Prasad, son of Shiva Singh, Resident of Village- Khanpur, P.O. Kothiyan, P.S. Didarganj Patna City, District- Patna.
12. Rajeshwar Mahto, son of Late Ramni Mahto, Resident of Village and P.O.- Magaidih, P.S. - Mufassil, District-Chapra (Bihar).
13. Badri Nath Hembram, son of Mangal Hararam, Resident of Village- Gokulpur, P.O. - Pakud, P.S.-Pakud, District- Pakud at present residing at B.M.P. 7 Campus, Bheriya Rahika, Mirchai Katihar (Bihar).
14. Gajadhar Prasad Yadav, son of Phauldari Prasad Yadav, Resident of B.M.P. 7 Campus, Bheriya Rahika, Mirchai Katihar (Bihar).
15. Saryug Prasad, son of Late Laldas Gope, Resident of village- Prabhu Bigha, P.O.- Hargawan, P.S.-Manpur, District- Nalanda.
16. Phuleshwar Yadav, son of Loknath Yadav, Resident of Village- Bariyarpur, P.O.- Loshghani, P.S.-Piri Bazar, District- Lakhisarai.
17. Sargun Das, son of Narsingh Das, Resident of Village- Rampur, P.O. and P.S.- Nashnagar, District- Bhagalpur (Bihar).
18. Brijnandan Paswan, son of Late Ramashish Paswan, Resident of Village- Kusahapar, P.O.-Medhwa, P.S.- Karayparsuray, District- Nalanda (Bihar).
19. Mahavir Ram, Late Hiran Ram, Resident of Village- Malshring, P.S.- Pithoriya, District- Ranchi (Jharkhand).
20. Yugeshwar Prasad, son of Late Nandbihari Prasad, resident of Baruna, P.O.- Sewtha, P.S.-Sahar, District- Bhojpur, Ara (Bihar).



21. Mana Ram, son of Sridev Muni, Resident of Village- Purushottampur, P.O.- Behra, P.S.-Mufassil, District- Bhojpur (Ara) (Bihar).
22. Sunil Sah, son of Late Pancham Sah, Resident of village- Purainiya, P.O.- Neura, P.S. Bihta, District-Patna (Bihar).
23. Hariram, son of Late Dukhan Ram, Resident of Village- Ithe, P.O.- Ithe (Khunti), P.S. Murhun, District- Khunti (Jharkhand).
24. Mohammad Aslam, son of Ajabul, Resident of Village- Chottee Koder Janna, P.O. Ganga Prasad, P.S.- Sahibganj Mufassil, District- Sahibganj (Jharkhand).
25. Md. Nurul, son of Md. Ismail, Resident of Village- Balua, P.O.- Belghat Balua, P.S. Mufassil, District- (Ara) Bhojpur.
26. Ram Prakash Ray, son of Late Kamo Ray, Resident of Village Charon, P.S. Novagadhi, P.S. Mufassil, District- Munger (Bihar).
27. Muni Mochi, son of Chandrika Mochi, Resident of Village- Pachmahla, P.O. Raili, P.S. NTPC, Barh, District- Patna
28. Dinesh Prasad Singh, son of Chandrika Prasad Singh, Resident of Village Bhimsain, P.O.-Malduma, P.S.- Amarpur, District- Banka (Bihar).
29. Ram Prasad Das, son of Sundar Das, Resident of Village- Sahjaggi Navtoliya, Harijan Tola, P.O.-Sahjadpur, P.S. Habibpur, District- Bhagalpur.
30. Ramvilash Sharma, son of Late Ramnandan Sharma, Resident of Village and P.O. Rampur, P.S. Suryagarha, District- Lakhisarai.
31. Anandi Yadav, son of Kailash Yadav, Resident of Village Thera Mahadev Bigha, P.O. and P.S. Jalalpur, District- Nawada (Bihar).
32. Umesh Kumar Ojha, son of Bajrangbali Ojha, Resident of Village- Semariya Ojha Patti, P.S. Shahpur, District- Bhojpur.
33. Dhanik Ray, son of Late Devu Ray, Resident of Village- Kumarganj, P.O.- Jahangira, P.S. Sultanganj, District- Bhagalpur (Bihar).
34. Parmanand Paswan, son of Late Jagdish Paswan, Resident of Village Maniyarchak, P.O.-Navagarhi, P.S.- Mofassil, District- Munger (Bihar).
35. Sudhir Ranjan Bharti, son of Jagdish Yadav, Resident of Village and P.O. Laldarwaja, P.S.- Kotwali, District- Munger (Bihar).
36. Sajjan Kumar Yadav, son of Late Banku Yadav, Resident of Village- Singhya, P.O.- Singhya, P.S. Safiyabad (Naya Ramnagar), District- Munger (Bihar).
37. Shivjee Singh, son of Late Ram Janam Singh, Resident of Village Ishwarpura, P.O. and P.S.- Ishwarpura, District- Bhojpur (Ara).
38. Kundan Kumar Singh, son of Dinesh Prasad Singh, Resident of Village- Ghoshaith, P.O. Piri Bazar, P.S. Piri Bazar, District- Lakhisarai.
39. Moti Paswan, son of Babaji Paswan, Resident of Village- Billya, P.O.- Lochahi, P.S. Sahayak, P.S. Haweli Khadagpur, District- Munger (Bihar)
40. Ganesh Prasad Yadav, son of Late Sidhu Prasad Yadav, Resident of village- Mirzapur, P.O. Sabour, P.S. Sabour, District- Bhagalpur (Bihar)
41. Chitranjan Prasad Yadav, son of Late Surendra Prasad Yadav, Resident of village- Mohanpur, P.O. Shaligrami, P.S. Shahpur Kamal, District- Begusarai



(Bihar).

42. Raj Kishor Ray, son of Ram Udit Ray, Resident of Village and P.O.- Sonbarsa, P.S. Bihpur, District-Bhagalpur (Bihar).
43. Manoj Kumar Choudhary, son of Bhirgunath Choudhary, Resident of Village and P.O.- Thatha, P.S. Mansi, District- Khagaria (Bihar).
44. Md. Belal Ahmad, son of Md. Ali Ahmad, Resident of Village- Narayanpur, P.O. Narayanpur, P.S. Bihpur Bhawanipur, District- Bhagapur (Bihar).
45. Kamla Kant Sardar, son of Late Basudev Sardar, Resident of Village- Dudhiya, P.O.- Moko, P.S. Baliyapur, District- Dhanbad (Jharkhand).
46. Ali Ahamad Khan, son of Amir Hassan Khan, Resident of Village and P.O. Nainaghat, P.S. Bhapatti, District- Darbhanga (Bihar).
47. Sikandar Das, son of Modi Ravi Das, resident of Village- Ambedkar Nagar, Kauwa Kauli, P.O.-Nathnagar, P.S. Madhusanpu Nathnagar, District- Bhagalpur (Bihar).
48. Gopal Paswan, son of Late Bhuneshwar Paswan, Resident of Village and P.O. - Khutaha, P.S. Lodipuri, District- Bhagalpur (Bihar).
49. Om Prakash Kumar, son of Late Raja Ram Sharma, Resident of Village- Dhokhara, P.S. Sigori, District- Patna.
50. Ashok Singh, son of Late Ramjee Singh, Resident of Village P.O. Krishnagarh, Krishnagarh, P.S. District- Bhojpur (Ara), Bihar.
51. Md. Alamgir, son of Md. Sultan, Resident of Bashwarpur, P.O.- Dariyapur, P.S. Mufassil, District- Munger (Bihar)
52. Chandra Bhushan Singh, son of Late Vishwanath Singh, Resident of Village- Tilhatha (Rasainpur), P.S. Gahpar, District- Gazipur (Uttar Pradesh).
53. Dinesh Kumar Paswan, son of Late Aklu Paswan, Resident of Village- Gauripur, P.O. Safiasarai, P.S. Safiasarai, District-Munger.
54. Chandrabhushan Rana, son of Late Chandrashekhar Rana, Resident of Village Bhatoliya, P.O. Meenapur, P.S. Meenapur, District- Muzaffapur (Bihar).
55. Ashok Kumar, son of Upendra Yadav, Resident of village- Singhpur Kumar Khand, P.O. Kumar Khand, P.S. Kumar Khand, District- Madhepura.
56. Ram Babu Ray, son of Late Rupam Yadav, Resident of Village Bheriya Rekha, P.O. BMP-7, Katihar, District- Katihar.
57. Bali Ram Prasad, son of Late Mohan Prasad, Resident of Village- Puraini, P.S. Govindpur, District-Nawada.
58. Manoj Kumar, son of Late Kapil Pandit, Resident of Village and P.O. Patehpur, P.S. Didarganj, District- Patna (Bihar)
59. Roshan Gurung, son of Late Ratan Bahadur Gurung, Resident of Village- Sudung-Lakha-Kopchey, P.S. Rhenock Bazar, District- Gangtok (Sikkim).
60. Vijay Kumar Yadav, son of Late Uma Shankar Yadav, Resident of Hawaii Adda Sarif, P.S. Hawaii Adda, District-Katihar.
61. Manoj Kumar S/o Biso Yadav Resident of Village-Kasimpur, Po-Aahok, P.s- Khagaria, District-Khagaria.



62. Ravindra Tanti S/o Late Yadunandan Tanti R/o-Village- Sri Chandrapur, Po-Shaligrami, Ps-Shahebpur Kamal, District-Begusarai.
63. Surendra Yadav S/o Late Rameshwar Prasad Yadav Village and Post-Chowki, Ps-Shahebpur Kamal, District-Begusarai.
64. Ranjit Kumar Mandal S/o Guljari Prasad Mandal Resident of -Village-Golgama, Po and Ps-Shahkund, District-Bhagalpur.
65. Ajay Kumar Singh S/o- Ramdeo Singh Resident of Village-Bishnupur, Po-Pakariya, Ps-Shambhuganj, District-Banka.
66. Mukesh Kumar Yadav S/o Triveni Prasad Yadav Resident of Village and Post and Thana-Shahebpur Kamal, District-Begusarai.
67. Shankar Paswan, S/o Manikant Paswan Resident of Village Maheshi, Post-Tilakpur, Thana-Sultanganj, District- Bhagalpur.
68. Suresh Kumar Bhagat S/o Sriram Babu Bhagat Resident of Village-Amer, Post-Navanagar, Thana-Bidhupur, District-Vaishali.
69. Ram Bhajan Paswan S/o Late Radhe Paswan Resident of village and Post-Whakharpur, Thana-Pirpaiti, District-Bhagalpur.
70. Ajay Kumar S/o Turanti Yadav Resident of Village-Aadalpur, Post-Aamari, Thana-Dharhara, District - Munger.
71. Pankaj Kumar Aajad S/o Sachidanand Thakur Resident of Village-Narkatiya, Post-Gauripur, Thana-Kharik, District-Bhagalpur.
72. Raghu Paswan, son of Late Khushilal Paswan, Resident of Village and P.O. Basudeva, P.S. Ghailad, District- Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar through The Principal Secretary, Home Department, Govt. of Bihar, Patna.
2. The Director General of Police, Bihar, Patna, Patel Bhawan Bailey Road, Patna.
3. The Inspector General of Police (Budget/Appeal/Welfare), Bihar, Patna.
4. The Director General of Police, Bihar Special Arms Police (BSAP), Patna.
5. The Inspector General of Police B.S.A.P, Bihar, Patna.
6. The Deputy Inspector General of Police B.S.A.P (Central Range), Patna.
7. The Deputy Inspector General of Police B.S.A.P (Northern Range), Muzaffarpur.
8. The Commandant, Bihar Special Arms Police- 03, Bodh Gaya, Gaya.
9. The Commandant, Bihar Special Arms Police- 17, Bodh Gaya, Gaya.
10. The Commandant, Bihar Special Arms Police- 06, Muzaffarpur.
11. The Commandant, Bihar Special Arms Police- 07, Katihar.
12. The Commandant, Bihar Special Arms Police- 08, Begusarai.
13. The Commandant, Bihar Special Arms Police- 19, Begusarai.
14. The Commandant, Bihar Special Arms Police- 09, Jamalpur, Munger.



15. The Commandant, Bihar Special Arms Police- 10, Patna.
16. The Commandant, Bihar Special Arms Police- 14, Patna.
17. The Commandant, Bihar Special Arms Police- 11, Jamui.
18. The Commandant, Bihar Special Arms Police- 04, Dumraon, Buxar.
19. The Commandant, Bihar Special Arms Police- 18, Dumraon, Buxar.
20. The Commandant, Bihar Special Arms Police- 12, Bhimnagar, Supaul.
21. The Commandant, Bihar Special Arms Police- 15, Supaul.
22. The Commandant, Bihar Special Arms Police, Swabhimani Battalion, Bagaha.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Niranjana Kumar, Advocate
For the Respondent/s : Ms. Vagisha Pragma Vacaknavi, AC to SC-9

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

5 03-02-2026 The petitioners are members of Bihar Armed Police.

They have filed the instant writ petition for the following reliefs:-

“(i) For direction upon the respondent authorities to implement the judgment/order dated 26.04.2024 passed in LPA No. 458/2021 (Arising out of CWJC No.-1744/2020) by the Division Bench of this Hon'ble Court in respect of the petitioners of the present writ application also as they are similarly situated to the appellants/petitioners of LPA No. 458/2021 and extend them all consequential benefits i.e. refund of recovered amounts, if any and restore the pay fixation in the light of the facts that the petitioners were/are entitled to 1 ACP in the scale of Rs.4000-6000/- which was already



allowed to them by the respondents.

(ii) To hold that petitioners are covered by the judgment/order dated 26.04.2024 passed by the Division Bench of this Hon'ble Court in LPA No.-458/2021 and therefore, as per Clause-4. C (1) of the Bihar Litigation Policy, 2011 issued under resolution dated 31.03.2011 by the State Government, they are also entitled to be given the same and similar benefits as has been given to the appellants/petitioners of LPA No.-458/2021 and any discrimination with the petitioners would amount violation/breach of the Bihar Litigation Policy, 2011 by the respondent authorities.

(iii) For any other relief/reliefs to which the petitioners are entitled to in the facts and circumstances of this case.”

2. From relief No.(i) it is asserted that in LPA No.458 of 2021 arising out of CWJC No.1744 of 2020, the Division Bench of this Court passed an order directing the respondents to refund the recovered amounts, if any, to the respective appellants within a period of three months from the date of receipt of copy of this order and so also restore the pay-fixation in the light of the fact that the appellants are entitled to 1st ACP in the year 2002-2003. Thereafter, proceed to re-fix their pay/pension and difference of amount shall be calculated and disbursed within a period of four months.



3. Subsequently, similarly situated members of Bihar Armed Police filed CWJC No.14037 of 2025, wherein a Coordinate Bench of this Court disposed of the writ petition directing the Commandant, Bihar Special Armed Police (BMP)-1, Patna (Respondent No.9) to dispose of the pending representation of the petitioners dated 16.05.2025 (Annexure-P/4 Series) on merit after giving an opportunity of hearing to the petitioners, by passing a reasoned and speaking order. It was further directed that the entire exercise must be completed within a period of four months from the date of production of a copy of this order by the petitioners.

4. The writ-petitioners have also annexed a copy of CWJC No.5078 of 2025 filed by some other Bihar Armed Police personnel with the same relief and the writ petition was allowed directing the Director General of Police, Bihar, Patna to dispose of all the representation (Annexure-P/6 of the writ petition) within a certain period of time.

5. In view of the fact that the petitioners are also members of Bihar Armed Police and their grievance are similar to that of the above-mentioned L.P.A. and writ petitions. The final order of the instant writ petition is passed in the line of the order passed in L.P.A. No.458 of 2021.



6. The Director General of Police, Bihar, Patna (respondent No.4) is directed to dispose of the representations submitted by the writ-petitioners with regard to their entitlement of pay fixation on the basis of ACP after giving opportunity to the petitioners or their representatives for being heard by passing a reasoned order within four months from the date of communication of the order by the petitioner.

7. The petitioners are at liberty to act on the server copy of the order.

8. With the above order, the instant writ petition is, thus, disposed of on context. However, there shall be no order as to cost.

(Bibek Chaudhuri, J)

mdrashid/-

U			
---	--	--	--

