

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21024 of 2025

Nagendra Tiwari Son of Late Ram Shankar Tiwari, resident of village- Barki Nainijor, Police Station - Nainijor, District- Buxar, presently posted as Hawaldar- 55, Bihar Special Armed Police- 2, Dehri-on-Sone, Police Station- Dehri-on-Sone, District- Rohtas.

... .. Petitioner

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Home (Police) Govt. of Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Director General, Bihar Special Armed Police Force, Bihar, Patna.
4. The Deputy Inspector General, Bihar Special Armed Force (Central Division), Patna.
5. The Commandant, Bihar Special Armed Police- 2, Dehri-On-Sone, District- Rohtas.

... .. Respondents

Appearance :

For the Petitioner : Mr. Arun Kumar, Advocate
For the Respondent-State: Mr. Additional Advocate General (13)

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

2 31-01-2026 Heard learned counsel for the parties.

2. The petitioner has filed this writ application for
following reliefs:-

“(I) For issuance of a writ in the nature of mandamus commanding and directing upon the Respondents concerned to consider the claim of petitioner for grant of 3rd MACP after completion of 30 years of service w.e.f, 19.12.2018 as well as for promotion on the post of Sub-Inspector w.e.f 19.12.2023 since when similarly situated employees or even juniors to the petitioner have been considered and granted the



promotion on the post of sub-Inspector as well as benefit of 3rd MACP but claim of petitioner is not considered without assigning any valid reason despite the fact that petitioner has represented his claim through proper channel on 26.5.2025 addressed to Respondent No.5 which has already been endorsed with all necessary service records and information vide letter No.2650 dated 3.6.2025 addressed to respondent No.4 but till date neither claim of petitioner has been considered nor any communication has been made with the petitioner.

II. For further direction upon the respondents concerned to pay the due differences of salary accrued after providing the benefit of 3rd MACP as well as regular promotion on the post of S.I, which is due w.e.f. 19.12.2018 and 19.12.2023 respectively.

III. Any other order/orders for granting any other relief/reliefs for which the petitioner is found entitled to in the facts and circumstances of the case.

IV. For grant of any other relief/reliefs for which the petitioner is legally entitled in the facts and circumstances of the case.”



3. At the outset, it is submitted by the learned counsel for the petitioner that vide Annexure-P/2, the petitioner has filed a detailed representation before the respondent no.5 raising his grievance, who, in turn, has forwarded his representation to the respondent no.3 by Annexure-P/3 vide Letter No. 2650 dated 03.06.2025 for the needful. However, till date no decision has been taken on the representation filed by the petitioner.

4. In the interest of justice, this Court finds it expedient to direct the petitioner to file a fresh representation annexing his previous representation with a copy to this order before respondent no. 3 within two weeks from today. It is expected that respondent No.3 shall consider all the aspects of the matter and the grounds mentioned in the representation after affording an opportunity of hearing to the petitioner and pass a reasoned and speaking order in accordance with law within a period of six weeks from the date of receipt of the representation, which may be communicated to the petitioner.

5. This writ application stands disposed of in the aforesaid terms.

(Praveen Kumar, J)

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