

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6903 of 2022

1. Rejesh Kumar Chandra S/o Late Prithvi Chandra Sah R/o Village- Branti, P.S.- Bidupur (O.P.), District- Vaishali Hajipur, At present posted as Constable in Bihar Military Police (BSAP)- 6, Muzaffarpur.
2. Sudama Prasad Paswan S/o Late Vishwanath Paswan R/o Village- Balthua, P.S.- Sasaram, District- Rohtas, Presently posted as Constable in BSAP-2, Dehri-on-Sone.
3. Nabalu Kumar S/o Shri Suresh Ram R/o Village- Shitalpur, P.S.- Bidhupur, District- Bodh Gaya, Presently posted as Constable in BSAP-3, Bodh Gaya.
4. Jitendra Kumar Chaudhari S/o Shri Yogendra Choudhari R/o Village- Jehaldih, P.S.- Sirdala, District- Nawada, Presently posted as Constable in BSAP- 3, Bodh Gaya.
5. Mukul Anand Manjhi S/o Shri Satish Manjhi R/o Village- Hawanpura, P.S.- Rahui, District- Nalanda, Presently posted as Constable in BSAP- 3, Bodh Gaya.
6. Pramod Kumar S/o Late Ram Bachchan Prasad R/o Village- Nesratpur Phulwariya, P.S. Hisua, District- Nawadah, Presently posted as Constable in BSAP- 3, Bodh Gaya.
7. Mukesh Kumar Ram S/o Shri Ramashankar Ram R/o Village- Jasauli Balua Tola, P.S.- Pachrukhi, District- Siwan, Presently posted as Constable in BSAP- 3, Bodh Gaya.
8. Manoj Kumar Pandit S/o Shri Ramkewal Pandit R/o Village- Pipra, P.S.- Gadhami, District- Bhojpur, Presently posted as Constable in BSAP- 3, Bodh Gaya.
9. Priyanka Kumari D/o Shri Pramod Gupta R/o Village- Kapasiyan, P.S.- Rajpur, District- Rohtas, Presently posted as Constable in BSAP- 3, Bodh Gaya.
10. Prem Shankar Jha S/o Shri Baidhnath Jha R/o Village- Kumar Khand, P.S.- Kumar Khand, District- Madhepura, Presently posted as Constable in BSAP- 4, Dumraon, Buxar.
11. Din Bandhu Das S/o Shri Bhuneshwar Das R/o Village- Sabalpur Harijan Tola, P.S. Sonpur, District- Saran, Presently posted as Constable in BSAP- 4, Dumraon, Buxar.
12. Chandan Kumar S/o Late Shambhu Paswan R/o Village- Aadarsh Nagar, P.S.- Phulwarisharif, District- Patna, Presently posted as Constable in BSAP- 4, Dumraon, Buxar.
13. Yatan Kumar S/o Shri Raj Kumar Modi R/o Village- Baghaur, P.S.- Halsi, District- Lakhisarai, Presently posted as Constable in BSAP- 5, Patna.
14. Santosh Kumar S/o Shri Hakim Yadav R/o Village- Sukana Bigha, P.S.- Jehanabad, District- Jehanabad, Presently posted as Constable in BSAP- 5, Patna.
15. Saddam Hussain S/o Shri Samid Khan R/o Village- Dandari, P.S.- Dandari, District- Begusarai, Presently posted as Constable in BSAP- 5, Patna.
16. Batendra Pal S/o Ram Bali Pal R/o Village- Simariwala, P.S. Kutumba, District- Aurangabad, Presently posted as Constable in BSAP- 5, Patna.
17. Dilip Kumar Sah S/o Shri Inarman Sah R/o Village- Dhan Khareya, P.S.-



- Harsidhi, District- East Champaran, Presently posted as Constable in BSAP-6, Muzaffarpur.
18. Sanjeet Kumar S/o Shri Kedar Mistry R/o Village- Sikandarpur, P.S.- Muffasil, District- Nawada, Presently posted as Constable in BSAP- 6, Muzaffarpur.
 19. Rajeev Chaudhari S/o Shri Dilip Chaudhari R/o Village- Pain, P.S.- Sultanganj, District- Bhagalpur, Presently posted as Constable in BSAP- 6, Muzaffarpur.
 20. Vicki Kumar Prabhat S/o Shri Subdh Das R/o Village- Fatehpur, P.S.- Mushri Ghari, District- Samastipur, Presently posted as Constable in BSAP- 6, Muzaffarpur.
 21. Randhir Chaudhari S/o Shri Brijnandan Chaudhari R/o Village- Milki Korma, P.S.- Parasbigaha, District- Jehanabad, Presently posted as Constable in BSAP- 6, Muzaffarpur.
 22. Rajkishor Kumar S/o Shri Deodhari Prasad R/o Village- Khujapi, P.S.- Chandauli, District- Gaya, Presently posted as Constable in BSAP- 7, Katihar.
 23. Rahul Ranjan S/o Shri Binod Kumar R/o Village- East Murli Hill, P.S. Kotwali, District- Gaya, Presently posted as Constable in BSAP- 7, Katihar.
 24. Saxena Kumar S/o Shri Raj Kumar Paswan R/o Village- Naya Tola, Katiya, P.S.- Mufassil, District- Munger, Presently posted as Constable in BSAP- 7, Katihar.
 25. Dharmendra Kumar Baitha S/o Shri Wakil Chandra Baitha R/o Village- Lakhana Tola, P.S.- Piro, District- Bhojpur, Presently posted as Constable in BSAP- 7, Katihar.
 26. Ravindra Sah S/o Shri Bhola Sah R/o Village- Pipra, P.S.- Daraunda, District- Siwan, Presently posted as Constable in BSAP- 7, Katihar.
 27. Pankaj Kumar S/o Shri Deonandan Mahto R/o Village- Roh, P.S.- Roh, District- Nawada, Presently posted as Constable in BSAP- 7, Katihar.
 28. Uchit Kumar S/o Shri Devendra Prasad R/o Village- Beldar Bigha, P.S.- Chhabilapur, District- Nalanda, Presently posted as Constable in BSAP- 7, Katihar.
 29. Birendra Kumar S/o Shri Chamaklal Mandal R/o Village- Gonar Chak, P.S.- Parbatta, District- Bhagalpur, Presently posted as Constable in BSAP- 7, Katihar.
 30. Nawal Kumar S/o Shri Vinod Prasad R/o Village- Maulana Chak, P.S. Parasbigaha, District- Jehanabad, Presently posted as Constable in BSAP- 7, Katihar.
 31. Santosh Kumar S/o Shri Dinesh Paswan R/o Village- Manjhauri, P.S.- Cheriya Bariyarpur, District- Begusarai, Presently posted as Constable in BSAP- 7, Katihar.
 32. Pramod Kumar S/o Shri Lalit Ram R/o Village- Jogewan, P.S. Vikram Ganj, District- Rohtas, Presently posted as Constable in BSAP- 8, Begusarai.
 33. Vivek Kumar S/o Shri Horil Rajak R/o Village- Defra, P.S.- Gwalpara, District- Madhepura, Presently posted as Constable in BSAP- 8, Begusarai.



34. Dheeraj Kumar S/o Shri Gyandeo Das R/o Village- Parbatta, P.S. Parbatta, District- Khagaria, Presently posted as Constable in BSAP- 8, Begusarai.
35. Manoj Kumar S/o Shri Kamta Prasad R/o Village- Mahjiawan, P.S. Mohanpur, District- Gaya, Presently posted as Constable in BSAP- 8, Begusarai.
36. Amit Kumar S/o Shri Harishchandra Mandal R/o Village- Ghoshi Tola, P.S.- Kashim Bazar, District- Munger, Presently posted as Constable in BSAP- 8, Begusarai.
37. Ashwani Kumar S/o Shri Budhan Singh R/o Village- Piroie, P.S.- Goraul, District- Vaishali. Presently posted as Constable in BSAP- 8, Begusarai.
38. Hemant Kumar S/o Shri Baidhnath Prasad R/o Village- Chakdullam, P.S.- Bhagwanpur, District- Begusarai, Presently posted as Constable in BSAP- 8, Begusarai.
39. Ashok Kumar Ranjan S/o Shri Ganesh Ram R/o Village- Aranda, P.S. M.H. Nagar, District- Siwan, Presently posted as Constable in BSAP- 8, Begusarai.
40. Shasi Kumar S/o Late Bashishtha Narayan Singh R/o Village- Manjhla Pur, Lakho, P.S.- Muffasil, District- Begusarai, Presently posted as Constable in BSAP- 12, Bhim Nagar, Supaul.
41. Prem Nath Kumar S/o Late Kameshwar Chauhan R/o Village- Narayanpur, P.S. N.T.P.C. Khaira, District- Aurangabad, Presently posted as Constable in BSAP- 12, Bhim Nagar, Supaul.
42. Ravi Shankar Sharma S/o Shri Ramesh Sharma R/o Village- Lerua, P.S.- Sasaram Muffasil, District- Rohtas, Presently posted as Constable in BSAP- 12, Bhim Nagar, Supaul.
43. Sujeet Kumar S/o Shri Sudarshan Raj R/o Village- Mahuani, P.S. Awtar Nagar, District- Saran, Presently posted as Constable in BSAP- 12, Bhim Nagar, Supaul.
44. Chandan Kumar S/o Shri Karelal Mandal R/o Village- Madrouni, P.S.- Rangra, District- Bhagalpur, Presently posted as Constable in BSAP- 12, Bhim Nagar, Supaul.
45. Sanoj Kumar Aadarshi S/o Shri Jaglal Mahto R/o Village- Erki, P.S.- Mohanpur, District- Gaya, Presently posted as Constable in BSAP- 12, Bhim Nagar, Supaul.
46. Jitendra Kumar S/o Shri Amir Pandit R/o Village- Halimpur, P.S.- Saheb Ganj, District- Muzaffarpur, Presently posted as Constable in BSAP- 12, Bhim Nagar, Supaul.
47. Subodh Kumar S/o Shri Vidya Sharma R/o Village- Chaksaidpur Rajauli, P.S.- Hajipur Sadar, District- Vaishali, Presently posted as Constable in BSAP- 12, Bhim Nagar, Supaul.
48. Anant Kumar Sharma S/o Shri Manoj Kumar Sharma R/o Village- Kharanti, P.S.- Bodh Gaya, District- Gaya, Presently posted as Constable in BSAP- 12, Bhim Nagar, Supaul.
49. Mritunjay Kumar Sharma S/o Shri Sudama Vishwakarma R/o Village- Raipur Chir, P.S.- Baddi, District- Rohtas, Presently posted as Constable in BSAP- 12, Bhim Nagar, Supaul.



50. Kundan Kumar S/o Shri Ramchandra Thakur R/o Village- Hardiyaganj Simrabgan, P.S. Sahayak Thank, Katihar, District- Katihar, Presently posted as Constable in BSAP- 12, Bhim Nagar, Supaul.
51. Md. Anjum Pravej S/o Md. Inammul Haque R/o Village- Reshna, P.S.- Murliganj, District- Madhepura, Presently posted as Constable in BSAP- 12, Bhim Nagar, Supaul.
52. Ritesh Kumar S/o Shri Shio Muni Shriwastava R/o Village- Phulwariya, P.S.- Chenari, District- Rohtas, Presently posted as Constable in BSAP- 15, BHim Nagar, Supaul.
53. Rajesh Kumar Paswan S/o Late Ramgati Paswan R/o Village- Bhagwatipur, P.S.- Chainpur, District- Kaimur at Bhabhua, Presently posted as Constable in BSAP- 15, Bhim Nagar, Supaul.
54. Manish Kumar S/o Shri Shankar Prasad Sah R/o Village- Dharmapura, P.S.- Doriganj, District- Saran at Chapra, Presently posted as Constable in BSAP- 15, Bhim Nagar, Supaul.
55. Om Prakash Paswan S/o Shri Ramesh Paswan R/o Village- Kripalpur, P.S. Durgawati, District- Kaimur (Bhabhua), Presently posted as Constable in BSAP- 15, Bhim Nagar, Supaul.
56. Bisheshwar Kumar S/o Shri Sitaram Mahto R/o Village- Bachhauli, P.S.- Khanpur, District- Samastipur, Presently posted as Constable in BSAP- 15, Bhim Nagar, Supaul.
57. Bishnu Kumar S/o Shri Parshuram Sah R/o Village- Tendubahar, P.S. Rajpur, District- Rohtas, Presently posted as Constable in BSAP- 15, Bhim Nagar, Supaul.
58. Arbind Paswan S/o Shri Ramji Paswan R/o Village- Karigai, P.S.- Belawn, District- Kaimur at Bhabhua, Presently posted as Constable in BSAP- 15, Bhim Nagar, Supaul.
59. Amar Nath Kumar S/o Shri Shiv Prasad Roy R/o Village- Mahua Mukundpur, P.S.- Mahua, District- Vaishali, Presently posted as Constable in BSAP- 15, Bhim Nagar, Supaul.
60. Jitendra Kumar Singh S/o Shri Satyanarayan Singh R/o Village- Thahara West, P.S.- Maker, District- Saran, Presently posted as Constable in BSAP- 15, Bhim Nagar, Supaul.
61. Mithilesh Kumar S/o Shri Suresh Mandal R/o Village- Tetri, P.S.- Naugachhiya, District- Naugachhiya, Presently posted as Constable in BSAP- 15, Bhim Nagar, Supaul.
62. Radha Krishan S/o Shri Shyam Kishor Thakur R/o Village- Dhakel Rai Ke Tola, P.S.- Athmalgola, District- Patna, Presently posted as Constable in BSAP- 15, Bhim Nagar, Supaul.
63. Suraj Kumar S/o Shri Tenu Singh R/o Village- Amba, P.S.- Kharik, District- Bhagalpur, Presently posted as Constable in BSAP- 15, Bhim Nagar, Supaul.
64. Jitendra Kumar Thakur S/o Shri Baleshwar Thakur R/o Village- Manikpur Pakri, P.S.- Lalganj, District- Vaishali, Presently posted as Constable in BSAP- 15, Bhim Nagar, Supaul.
65. Ramesh Kumar S/o Late Dhanesh Paswan R/o Village- Allipur Mukund, P.S.- Mahua, District- Vaishali, Presently posted as Constable in BSAP- 15,



Bhim Nagar, Supaul.

66. Avinash Kumar S/o Shri Arun Sah R/o Village- Jalalpur, P.S.- Lalganj, District- Vaishali, Presently posted as Constable in BSAP- 15, Bheem Nagar, Supaul.
67. Sushil Kumar S/o Shri Bhimal Saw R/o Village- Patringa, P.S.- Sigori, District- Patna, Presently posted as Constable in BSAP- 15, Bhim Nagar, Supaul.
68. Umashankar Yadav S/o Shri Matwar Yadav R/o Village- Kasahi Tarwan, P.S. Kopa, District- Saran, Presently posted as Constable in BSAP- 15, Bhim Nagar, Supaul.
69. Sanjeet Kumar Saphy S/o Shri Shyam Lal Saphy R/o Village- Banauli, P.S.- Sursand, District- Sitamarhi, Presently posted as Constable in BSAP- 15, Bhim Nagar, Supaul.
70. Sunil Kumar Patwa S/o Shri Tarkeshwar Patwa R/o Village- Samardah, P.S.- Basantpur, District- Siwan, Presently posted as Constable in BSAP- 15, Bhim Nagar, Supaul.
71. Azad Paswan S/o Shri Ram Charitra Paswan R/o Village- Jain Bigha, P.S.- Shekhpura, District- Shekhpura, Presently posted as Constable in BSAP- 15, Bhim Nagar, Supaul.
72. Anuradha Priyadarshi D/o Shri Vaiidyanath Jha R/o Village- Satlakha, P.S.- Rahika, District- Madhubani, Presently posted as Constable in Mahila Sashatra Bahini, Beda, Sasaram.
73. Annu Kumari D/o Shri Surya Narayan Singh R/o Village- Mahirwara, P.S.- Nawakothi, District- Begusarai, Presently posted as Constable in Mahila Sashatra Bahini, Beda, Sasaram.
74. Sneha Kumari D/o Shri Brajesh Kumar Chaturvedi R/o Village- Samhauta, P.S. Kopa, District- Chapra, Presently posted as Constable in Mahila Sashatra Bahini, Beda, Sasaram.
75. Suman Kumari @ Sunmun Kumari D/o Shri Bhanu Pratap Singh R/o Village- Bhatkeshari Tola, P.S. Jalalpur, District- Chapra, Presently posted as Constable in Mahila Sashatra Bahini, Beda, Sasaram.
76. Ajay Mahto S/o Shri Sudarshan Mahto R/o Village- Bajahiya, P.S. Dariyapur, District- Saran, Presently posted as Constable in BSAP- 5, Patna.
77. Nikunj Kumar Son of Badri Prasad Yadav Resident of Village- Ghuthiya, P.O.- Sanjha, P.S.- Rajoun, District- Banka, posted as Constable in BSAP- 5, Patna.
78. Ragini Tiwari D/o Birendra Narayan Tiwari Resident of Mohalla Near D.M. Kothi, Club Road, Ara, P.O.- H.P.O., Ara, P.S.- Nawad, District- Bhojpur.
79. Saurabh Kumar Saurabh Son of Lalan Prasad Gupta Resident of Village- Bhawanipur, P.O.- Kursibarwa, P.S.- Sikta, District- West Champaran at present posted as Constable in BSAP- 10, Patna.

... .. Petitioner/s

Versus



1. The State of Bihar through the Chief Secretary, Government of Bihar, Secretariat, Patna.
2. The Director General of Police, Government of Bihar, Patna.
3. The Director General of Police, Military Police, now known as Bihar State Armed Police, Bihar, Patna.
4. The Additional Director General of Police, Wireless and Technical Services, Bihar, Patna.
5. The Additional Director General of Police, CID, Bihar, Patna.
6. The Inspector General of Police (H.Q.), Bihar, Patna.
7. The Inspector General of Police , (Wireless and Technical Services), Bihar, Patna.
8. The Deputy Inspector General of Police, BSAP, Northern Zone, Muzaffarpur.
9. The Deputy Inspector General of Bihar Police, BSAP, Central Zone, Patna.
10. The A.I.G. of Police (Inspection), Bihar, Patna.
11. A.I.G. of Police (H.Q.), Bihar, Patna.
12. The Superintendent of Police, Bihar Police, Radio Organization, Patna.
13. The Commandant, BSAP- 2, Dehri-on-Sone, Rohtas at Sasaram.
14. The Commandant, BSAP- 3, Bodh Gaya at Gaya.
15. The Commandant, BSAP- 4, Dumraon at Buxer.
16. The Commandant, BSAP- 5, Patna.
17. The Commandant, BSAP- 6, Muzaffarpur.
18. The Commandant, BSAP- 7, Katihar.
19. The Commandant, BSAP- 8, Begusarai.
20. The Commandant, BSAP- 9, Jamalpur.
21. The Commandant, BSAP- 11, Jamui.
22. The Commandant, BSAP- 12, Bheem Nagar, Supaul.
23. The Commandant, BSAP- 13, Darbhanga.
24. The Commandant, BSAP- 14, Patna.
25. The Commandant, BSAP- 15, Bheem Nagar, Supaul.
26. The Commandant, Mahila Shashtra Vahini, Beda, Sasaram.
27. The Deputy Superintendent Police (Technical/Training), Bihar Police Radio Organization, Patna.
28. The Additional Chief Secretary, Department of Home, Government of Bihar, Patna.

... .. Respondent/s



Appearance :

For the Petitioner/s : Mr. Y.V. Giri, Sr. Advocate
Mr. Ram Hriday Prasad, Advocate
Mr. Pranav Kumar, Advocate
For the Respondent/s : Mr. Sheo Shankar Prasad (SC - 8)

=====

CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL JUDGMENT

Date : 05-05-2025

Heard Mr. Y.V. Giri, learned senior counsel assisted by Mr. Pranav Kumar, learned counsel appearing on behalf of the petitioners and Mr. Sheo Shankar Prasad, learned SC- 8 appearing on behalf of the State.

2. The petitioners, 79 in numbers, have approached this Court challenging the order dated 18.03.2019, issued by the Director General of Police, Military Police, Bihar, Patna whereby, the petitioners' claim for absorption as Literate Constable (Operator) in the Bihar Police Radio Organization, have been rejected.

3. The impugned order dated 18.03.2019 has been passed pursuant to a direction of this Court, dated 07.01.2019 passed in CWJC No. 9565 of 2017.

4. The petitioners along with other constables in the Bihar Military Police as well as constables of the District Force were recommended for absorption as Literate Constable (Operator) in the Bihar Police Radio Organization, in terms of



Wireless Message dated 23.09.2014, issued by the Director General of Police, Bihar, Patna.

5. The Wireless Message dated 23.09.2014, was issued by the Director General of Police, Bihar, Patna, in terms of Rule 1235 of the Bihar Police Manual, whereby, willingness of newly recruited sepoy of the districts/units was sought for, for absorption as Literate Constable (Operator) in the Bihar Police Radio Organization, subject to the candidates possessing the qualifications prescribed in the W.T. Message.

6. Pursuant to the aforesaid exercise undertaken, altogether 370 constables (181 from the Bihar Military Police and 189 from District Police Force) were recommended for absorption as Literate Constable (Operator) in the Bihar Police Radio Organization. The constables of District Police Force, 189 in numbers, have been absorbed as Literate Constable (Operator) in the Bihar Police Radio Organization. However, the constables of Bihar Military Police were not absorbed as Literate Constable (Operator) in the Bihar Police Radio Organization, despite the recommendation made.

7. The present petitioners along with others, therefore, approached this Court by filing a writ petition, being CWJC No. 9565 of 2017.



8. The writ petition was disposed of by this Court by an order dated 07.01.2019, directing the Director General of Police to constitute a committee, comprising Director General of Bihar Military Police, Additional Director General of Police of Bihar Police Radio Organization and other Officers responsible for the maintenance of Bihar Police Radio Organization as well as the Bihar Military Police units and take a call with respect to the desirability and absorbing the recommended constables for being absorbed in the Bihar Police Radio Organization.

9. It was in compliance of the aforesaid direction of this Court in the writ petition, that the impugned order dated 18.03.2019 has been passed by the Director General of Police, Bihar, Patna rejecting the claim of the petitioners for absorption in the Bihar Police Radio Organization.

10. Respondents have filed counter affidavits.

11. When this writ petition was considered on 28.02.2025, on noticing that the Director General of Police had issued the Wireless Message dated 23.09.2014, inviting applications for absorption as Literate Constable (Operator) in the Bihar Police Radio Organization, in terms of Rule 1235 of the Bihar Police Manual; and, on further noticing that Rule 1235 of the Bihar Police Manual does not provide for the manner and



method of filling up the post of Literate Constable (Operator) in the Bihar Police Radio Organization either by way of direct recruitment or by way of absorption from the volunteers from other police units and Home Guards, this Court directed the State Counsel to place on record the Rule which provides for the manner and method of filling up the post of Literate Constable (Operator) in the Bihar Police Radio Organization, if such a Rule exist.

12. As directed above, respondent Nos. 4, 7 and 12 have filed a counter affidavit on 02.04.2025, wherein, it has been stated that there exists no separate Rule for filling up the post of Literate Constable (Operator) in the Bihar Police Radio Organization and the only Rule operating for filling up the post of Literate Constable (Operator) in the Bihar Police Radio Organization, is the Rule 1235 of the Bihar Police Manual.

13. The respondent Nos. 4, 7 and 12 in the aforesaid counter affidavit, however, have further stated that the Bihar Police Telecommunications (Wireless) and Technical Non-Gazetted Cadre Rules, 2021 has now been framed, which was notified by the Home Department on 07.04.2021. Under the aforesaid rules, the post of operator constable is to be filled up through direct recruitment by the appointing authority on the recommendation of the Commission. However, in case of delay in



regular appointment, to meet the exigencies, constables from the other police units who fulfill the required educational qualification may be taken on deputation with the approval of the Director General of Police, Bihar but such constables would not be permanently absorbed in the Bihar Police Radio Organization and such constables would be reverted back to their parent units, after the regular appointees join the service.

14. Upon perusal of the counter affidavit filed by the respondent Nos. 4, 7, and 12 on 02.04.2025, as discussed hereinabove, it thus appears that prior to the notification of the Bihar Police Telecommunications (Wireless) and Technical Non-Gazetted Cadre Rules, 2021 on 07.04.2021 by the Home Department, the only recruitment Rule for recruiting the Literate Constable (Operator) in the Bihar Police Radio Organization was Rule 1235 of the Bihar Police Manual.

15. It, thus, is an admitted position that the Wireless Message dated 23.09.2014, issued by the Director General of Police, Bihar pursuant to which the petitioners along with constables of District Police Force were recommended for absorption, was issued under Rule 1235 of the Bihar Police Manual.



16. Since, the recommendations of the petitioners for absorption as Literate Constable (Operator) along with others in the Bihar Police Radio Organization was made pursuant to Wireless Message dated 29.09.2014, issued by the Director General of Police in terms of Rule 1235 of the Bihar Police Manual, the right of the petitioners to be absorbed or otherwise, as Literate Constable (Operator) in the Bihar Police Radio Organization, would necessarily have to be determined in terms thereof.

17. Reading of the impugned order dated 18.03.2019 passed by the Director General of Police, Military Police, Bihar, Patna, pursuant to a direction of this Court passed in CWJC No. 9565 of 2017, however, would go to show that the consideration of the case of the petitioners for absorption as a Literate Constable (Operator) in the Bihar Police Radio Organization was not made in the light of Rule 1235 of the Bihar Police Manual.

18. I also find that the adjudication of the CWJC No. 9565 of 2017 vide judgment and order dated 07.01.2019 was also not made in the light of Rule 1235 of the Bihar Police Manual.

19. Under the circumstances, I am of the considered view that ends of Justice would be met in the instant case, if this writ petition is disposed of with a direction to the respondents to



consider the case of the petitioners for absorption in the Bihar Police Radio Organization in the light of the Rule 1235 of the Bihar Police Manual, which admittedly has been the Rule-in-force for recruitment of Literate Constable (Operator) in the Bihar Police Radio Organization at the time the petitioners were recommended as such.

20. Accordingly, this writ petition is hereby disposed of with a direction to the respondents to consider the case of the petitioners for absorption as Literate Constable (Operator) in the Bihar Police Radio Organization in the light of Rule 1235 of the Bihar Police Manual, within a period of three months from the date of receipt/production of a copy of this order.

(Nani Tagia, J)

Siddharth
Sagar/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	06.05.2025
Transmission Date	NA

