



2026:PATHC:45083

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.4107 of 2025

In

Civil Writ Jurisdiction Case No.14134 of 2025

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Bhim Sen Kumar Son of Siyaram Kumar, Resident of Singriyawan, Police Station- Shahjanaanpur, District- Patna.

... .. Petitioner/s

Versus

1. Govind Mohan, The Union of India through the Secretary, Ministry of Home Government of India, New Delhi.
2. Gyanendra Pratap Singh, The Director General of Police, CRPF, New Delhi, CGO Complex, Lodi Road, New Delhi.
3. V.S. Sharma, The Deputy Inspector General of Police (Establishment), CGO Complex, Lodi Road, New Delhi.
4. Mitesh Jain, The Inspector General of Police (Personnel), CRPF, CGO Complex, Lodi Road, New Delhi.
5. Ravindra Bhagat, The Deputy Inspector General of Police, Group Centre, Mokama Ghat, Mokama, District- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sarvadeo Singh, Advocate
Mr. Sanjay Kumar, Advocate
For the Opposite Party/s : Ms. Kanak Verma, CGC

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 08-05-2026 Heard learned counsel for the petitioner and learned counsel for the Union of India.

2. The instant contempt application has been filed by the petitioner alleging violation of the order dated 13.10.2025 passed in C.W.J.C. no. 14134 of 2025 which was disposed off in the following terms:

“4. Having heard learned counsel for the parties and having perused the contents of the petition,





without going into the merits of the case of the petitioner, the writ application stands disposed of with a liberty to the petitioner to make a representation before the Deputy Inspector General of Police, C.R.P.F., Group Centre, Mokama Ghat, Mokama, District Patna (respondent no.5) within a period of four weeks.

5. In case such a representation is filed, the respondent concerned shall dispose of the same within a period of two months from the date of its filing.

6. In case any amount is found payable to the petitioner, the same shall be paid within a period of two months from the date of passing of the order by the respondent concerned.”

3. Learned counsel appearing for the opposite parties submits in reference to the show cause filed on behalf of the opposite party no. 1 that pursuant to the direction of this Court, an order has been passed by the DIGP, Group Centre, C.R.P.F., Mokamaghat, Bihar on 5.12.2025, a copy of which has been brought on record as Anenxure-C to the show cause. Relevant part of the order is extracted herein below:





“06. Till date, petitioner has not submitted any representation for upgradation of APAR, as and when representation against APARs received from petitioner the same will be examined according to existing Rule/Instructions of APAR. However, his case for granting of MACP will be examined by Departmental screening committee constituted for granting of MACP case of personnel of this GC due for MACP on H/Y basis till posting in this office.

07. As regard to any amount is found payable to the petitioner, it is needless to mention here that, it will be applicable in case of upgradation of APARs only which has already mentioned in aforesaid paras. Representation of APARs will be considered by different appellate authorities for the period from 2016 to 01/09/2021 which will take considerable time.

08. Keeping in view of the position explained above and time limit of Hon'ble Court. it is submitted that no change is required in previous order issued for granting of MACP to the petitioner wef 04/08/2021. Case





will be considered/Reviewed only after upgradation of APARs of previous years wef 2016 to 20121 on the basis of submitting representation by petitioner. It is further added that either petitioner representation to be considered for upgradation of APARS to Very Good by the appellate authority or he acquire minimum bench mark "Very Good" for consecutive five years. However guidelines issued by Govt. of India, Department of Personnel & Training OM No. 35034/3/2015-Estt(D) dated 22/10/2019 is very clear for granting of MACP.”

4. It is contended by learned counsel for the petitioner that his consistent case has been that the APAR grading of the petitioner from 2016-22 being below bench mark is fit to be declared as null and void on the ground that the same has not been communicated to the petitioner till today. It is for this reason that the petitioner is unable to challenge the same before the appropriate forum in accordance with law.

5. This Court finds no reason as to why the APAR grading could not be communicated to the petitioner to enable him to challenge the same. However, at the same time, it may be





mentioned here that the same does not come within the scope of the present contempt application.

6. Taking into consideration the contents of the show cause filed on behalf of the opposite parties together with the speaking order passed, relevant portion of which is quoted herein above, the Court is satisfied that there is substantial compliance of the order, contempt of which is alleged herein.

7. The petitioner will be at liberty to challenge the speaking order dated 5.12.2025 passed by the DIGP, Group Centre, C.R.P.F., Mokamaghat, Bihar in accordance with law.

8. The application stands disposed off.

(Partha Sarthy, J)

saurovkrishna/-

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