

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14651 of 2015

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Dashrath Prasad Ray Son of Late Sangam Prasad Ray resident of village -
Chhota Jhaua, P.O. Jhaua, P.S. Awatar Nagar, District - Saran

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Home Department,
Government of Bihar, Patna
2. The Director General of Police, Home Department, Government of Bihar,
Patna
3. The Inspector General of Police, Home Department, Government of
Bihar, Patna
4. The Deputy Inspector General, Tirhut Region, Muzaffarpur
5. The Superintendent of Police, Muzaffarpur
6. The Superintendent of Police, Lakhisarai
7. The Conducting Officer - Cum - Police Inspector, Katra Circle,
Muzaffarpur

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Madhaw Prasad Yadaw

For the Respondent/s : Mr. Sc3-Syed Arshad Alam

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 15-09-2015 Heard learned counsel for the parties.

While this Court would find it very difficult to interfere with the order of punishment which was passed against the petitioner by the Superintendent of Police, Muzaffarpur in a departmental proceeding on 9.8.2008 by withholding one increment as also directing for “No Work No Pay” for the period of absence but then the learned counsel for the petitioner has submitted that the appeal filed by the petitioner before the Deputy Inspector General, Tirhut Range, Muzaffarpur on 22.10.2008 is still pending.

This Court, therefore, would direct the appellate authority to examine as to whether such an appeal dated 22.10.2008 was actually filed by the petitioner and if so, whether the same has still remained pending till date. If it is found that the petitioner's appeal has not been disposed of as yet, such appeal should be disposed of but, on the other hand, if it is found that the petitioner had never filed any such appeal in the office of the D.I.G., Tirhut Range, Muzaffarpur, that should be communicated to the petitioner, whereafter the matter will remain closed because the petitioner did not chose to assail the order of punishment of the year 2008 for good long seven years.

With the aforementioned observation and direction, this application is disposed of.

(Mihir Kumar Jha, J)

surendra/-

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