

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1391 of 2015

=====

Balmiki Singh Son of late Ram Bilas Singh resident of village and P.O
Dullapur, P.S. Semri District Buxar.

.... Petitioner/s

Versus

1. The Union of India Through the Secretary, Ministry of Home Affairs,
New Delhi.
2. The Union of India through Director General of Police, C.I.C.F., New
Delhi.
3. The Inspector General of Police, CISF, Eastern Sector, C I S F Office
Complex , Boring Road, New patliputra Colony, Patna-13.
4. The Deputy Inspector General of Police CISF Unit B S P (Raurkela),
Sundargarh, Orissa.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Uday Shankar Sharan Singh, Adv

For the Respondent/s : Mr. Sanjay Kumar(ASG)

=====

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA

ORAL JUDGMENT

3 09-03-2015 Heard learned counsel for the parties.

Having regard to the fact that the petitioner's
order of punishment of compulsory retirement not only
was affirmed by the appellate authority but was also
upheld by this Court in the judgment dated 05.04.2013
passed in C.W.J.C No. 19897 of 2012 and the appeal
against the said order of judgment was sought to be
withdrawn by the petitioner with a leave to raise the
issue of quantum of punishment, this Court now cannot
reopen the matter specially when the order of

compulsory retirement was again affirmed while disposing of the representation of the petitioner and has been kept intact by the respondents.

The issue relating to quantum of punishment in departmental proceeding essentially cannot be made subject matter of judicial review unless the same is shocking to the conscience. This Court, does not find any such reason to interfere with the order of punishment which as noted above has been upheld in the earlier inter parte judgment.

In any event, law as with regard to judicial review in the matter of quantum of punishment stands settled by the judgment of the Apex Court in the case of **Union of India & Anr vs K.G. Soni reported in 2006(6) SCC 794.**

That being so, this writ application must fail and is, accordingly, dismissed.

(Mihir Kumar Jha, J)

Ranjan/-

U			
---	--	--	--