

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6925 of 2014

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Geeta Devi, D/O Late Ghaucha Paswan, Resident of Mohalla - Lal Darwaja,
Near Geeta Babu Road, P.S. - Kotwali, District - Munger.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary of Bihar.
2. The Director General of Police, Bihar.
3. The Inspector General of Police, Bihar.
4. The Deputy Inspector General of Police, Bhagalpur, Bihar.
5. The Principal, Police Training School, Nath Nagar, Bhagalpur, Bihar.
6. The Superintendent of Police, Lakhisarai.
7. The Superintendent of Police, Shekhpura.
8. The Conducting officer-Cum-Deputy Superintendent of Police, Police Training School, Nath Nagar, Bhagalpur.
9. Rakshit Sub Inspector (First) Police Training School, Nath Nagar, Bhagalpur, Bihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh

Mr.Chandan Kumar Verma

For the Respondent/s : Mr. Md. Faiz Ahmad, AC to GP-7

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 05-01-2015 Heard the parties.

The petitioner is aggrieved by the order dated 08.08.2006 (Annexure-4) issued under the signature of the respondent Principal, Constable Training School, Nathnagar, Bhagalpur, whereby the service of the petitioner on the post of Lady Constable has been terminated.

Learned counsel appearing on behalf of the petitioner has submitted that the petitioner was appointed on the post of Lady Constable and she was sent for training on 07.09.2003. It is also submitted that the petitioner was subjected to a departmental proceeding on the ground of her unauthorized absence from the training school, but without considering the defence of the

petitioner her service has been terminated by the impugned order dated 08.08.2006 (Annexure-4).

A counter affidavit has been filed on behalf of the respondent no.5 resisting the prayer made on behalf of the petitioner and supporting the impugned order, as contained in Annexure-4.

After having heard the parties and on consideration of the materials available on record, this Court finds that the petitioner was appointed on the post of Lady Constable and she was sent for training by the order dated 07.09.2003 with a direction to join the training school immediately. However, she joined the training school after delay of five days. After giving her joining in the training school, she sought leave for bringing her baggage from her village. By the order dated 12.09.2003, she was granted leave of three days and she was required to give her joining again on 16.09.2003, but she remained absconding and did not turn up in the training school for more than one year precisely for four hundred eighty five days. In that view of the matter, the petitioner was subjected to a disciplinary proceeding and the charges have been found to have been proved. Accordingly, the order of termination from service was passed on 08.08.2006. Though the petitioner was removed from service on 08.08.2006, but she filed the present writ petition on 07.04.2014 i.e. after delay of about six years. There is no valid explanation by the petitioner for approaching this Court after such a long time.

From the facts stated above, the petitioner appears to be a very careless and negligent person. Such careless and negligent person cannot be allowed to remain in a disciplined

service of Police Department where she was required to discharge very onerous duty. The writ petition suffers from delay and laches on the part of the petitioner for approaching this Court after a long delay of about six years.

For the reasons recorded above, this Court does not find any good ground to interfere with the impugned order dated 08.08.2006 (Annexure-4) terminating the service of the petitioner from the post of Lady Constable. Hence, the writ petition has to fail and is, accordingly, dismissed, but there shall be no order as to costs.

(Birendra Prasad Verma, J)

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