

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3104 of 2015

1. Ram Sakal Singh, Retired Sub Inspector, resident of Village- Sabajpura, Police Station- Phulwarisharif, District- Patna.

.... .... Petitioner/s

Versus

1. The State of Bihar.
2. The Director General of Police-cum- I.G. Police, Bihar, Patna.
3. The A.I.G., Wireless Bihar, Patna.
4. The Superintendent of Police, Wireless, Bihar, Patna.
5. Assistant of I.G., Wireless, Bihar, Patna.
6. Additional S.P. (Wifeless), Bihar Police Radio cum C.O., Patna.

.... .... Respondent/s

**Appearance :**

For the Petitioner/s : Mr. Pradeep Kumar  
Mr. Sanjay Kr. Sinha  
Mr. Rajib Ranjan Jha  
For the Respondent/s : Mr. SC4- MD. R. HAQUE

**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI**  
ORAL JUDGMENT  
**Date: 24-04-2015**

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**24.04.2015**

Heard learned counsel for the parties.

The order of punishment of one black mark came to visit the petitioner for his own indiscretion for trying to claim uniform allowance from the State of Bihar when he had already got the said allowance from the State of Jharkhand.

The order of punishment indicates that the petitioner has nothing substantial to offer by way of an explanation as to why he tried to claim an allowance twice over. In fact he urges that he tried to expose some wrong doing in the department and that is why petitioner

has been punished.

The factum of payment, having been credited into the account of the petitioner, is not being disputed. The respondents have annexed a copy of the State Bank's statement along with the counter affidavit, which clearly indicates that way back in the year 2007 itself, this amount was credited in his salary account. It is a case of indiscretion, because after coming to the State of Bihar on cadre transfer, petitioner thought he can derive benefit a second time over. It is the greed of the petitioner which did him in. The minimum of punishment, which could be awarded in the case, has been awarded upon him. Petitioner has anyway superannuated now, so the effect of that punishment has no meaning.

In view of the aforesaid facts and circumstances, writ application is dismissed.

**(Ajay Kumar Tripathi, J.)**

SKM/-

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