

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8598 of 2011

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1. Shiv Pujan Seth @ Shiv Pujan Prasad S/O Late Vishwanath Seth R/O Village-Darwan, Police Station- Mohania, District-Kaimur At Bhabua

.... Petitioner/s

Versus

1. The State of Bihar
2. The Collector-Cum-District Magistrate, Kaimur at Bhabua
3. The Superintendent of Police, Kaimur at Bhabua
4. The Officer-in-Charge, Mohania P.S., Mohania, District- Kaimur At Bhabua

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. GIRISH CHANDRA SHARMA

For the Respondent/s: Mr. MANOJ PRIAYDARSHI SC17

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 29-07-2015

Heard counsel for the petitioner and the State.

The Court has gone through the reason for rejection passed by the District Magistrate as well as the Divisional Commissioner, Patna. The only reason why the claim of the petitioner has been rejected was that there was no clear recommendation in favour of the petitioner by the Superintendent of Police, Kaimur.

The two impugned orders, contained in Annexure-1 as well as Annexure-3 dated 15.1.2010 and 15.7.2008, are hereby set aside. The matter is remanded back with a direction upon the Superintendent of Police, Kaimur, to give a clear recommendation either in favour or against depending upon the facts of the case within a period of three

months from the date of production of a copy of this order.

Writ application is allowed.

(Ajay Kumar Tripathi, J)

R.K.Pathak/-

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