

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12148 of 2015

=====

Yogendra Kumar son of Late Ram Nandan Prasad resident of Village - Karsa, P.O. and P.S. - Bikram, District - Patna and at present posted as the Officer-Incharge, G.R.P. Police Station, District - Rohtas at Sasaram.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary-Cum-Home Commissioner Department, Govt. of Bihar, Old Secretariat Building, Patna.
2. The Director General of Police-Inspector General of Police, Bihar, Old Secretariat Building, Patna.
3. The Deputy Inspector General of Police Shahabad Range, Dehri-On-Sone, District - Rohtas at Sasaram.
4. The Superintendent of Police, Buxar.
5. The Superintendent of Police, Bhojpur at Ara.
6. The Deputy Superintendent of Police (Head Quarter), Bhojpur at Ara.

.... Respondents

=====

Appearance :

For the Petitioner/s : None

For the Respondent/s : Mr. Sc25- A. Ujjwal

=====

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 24-08-2015 No one appears for the petitioner. Learned counsel for the State is present.

The query of this Court in the order dated 11.8.2015, relevant portion whereof reads as follows:

“Mr. Dhirendra Kumar Gupta, faced with the problem as to whether the issue of non-supply of inquiry report was raised by the petitioner in the memo of appeal, copy whereof cannot be Annexure-4/1, as it is incomplete typed copy, seeks one week time to file supplementary affidavit enclosing the memo of appeal which was filed by the petitioner against the order of punishment raising the issue of non-supply of the inquiry report.”

having been not answered, this Court will not be inclined to

interfere with the impugned order passed by the Superintendent of Police inflicting punishment of one black mark vide his order dated 1.1.2013. As a matter of fact the petitioner, if he treats black mark to be a major punishment he had the remedy to move before the appropriate higher authority against such an order of punishment passed in the departmental proceeding. If the petitioner had filed an appeal he had to annex the order of the appellate authority apart from the copy of memo of appeal. Thus when the petitioner has failed to explain despite an opportunity given to him on the aspect of his filing and disposal of his appeal, if any, as duly recorded in the earlier order of this Court dated 11.8.2015 and now his learned counsel has also failed to produce even the copy of memo of appeal, this application seems to be wholly misconceived.

Thus, for the reasons indicated above, this application fails and is, accordingly, dismissed.

(Mihir Kumar Jha, J)

surendra/-

U			
---	--	--	--