

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15731 of 2008

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Bariyar Marandi, son of Shri Babulal Marandi, resident of Village Bargaon
Malwadi, P.O. Rahimabir Bishunpur, P.S. Korha, District Katihar.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Home (Police)
Department, Govt. of Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Deputy Inspector General of Police, Purnea.
4. The Superintendent of Police, Katihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rabi Bhushan Prasad 1
Mr. Arbind Kumar Anand

For the Respondent/s : Mr. P.N. Shahi, AAG-10

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

2 12-07-2016 Counsel for the State undertakes that he will file copy
of the Counter Affidavit during the course of the day.

The petitioner seeks quashing of the order, dated
27.03.2001, passed by the Superintendent of Police, Katihar, in
Departmental Proceeding No. 8 of 1998, communicated to him
vide order, dated 06.04.2001, contained in Annexure-2A to the
writ application.

As per the learned counsel for the petitioner, he was
appointed in the year 1987. On 17.02.1998, he was put under
suspension for having remained on unauthorized absence. The

petitioner submitted his show-cause reply stating that he was suffering from jaundice and as such, he could not attend his duty. Consequent to the departmental proceeding, the petitioner was dismissed from service. The petitioner filed an appeal before the D.I.G. of Police at Purnea. During the pendency of the appeal, the petitioner has filed the instant writ application challenging the order of his dismissal.

The State in its Counter Affidavit submits that the appeal is pending.

This writ application is disposed of with a direction to the respondent no. 3 to dispose of the appeal of the petitioner within a period of two months from the date of receipt of a copy of this order. It will be open for the petitioner to submit another copy of the appeal filed before the D.I.G. of Police at Purnea along with a copy of this order.

(Samarendra Pratap Singh, J)

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