

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9183 of 2015

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1. Krishna Kumar Singh S/o Late Ashoknath Singh vill.- Kachara, P.S.- Hussainabad, Dist. - Palamu, A/P. Havildar, B.M.P.-3, Bodh - Gaya, President , Men's Association, B.M.P.- 3 Unit.
 2. Ashok chandra Trivedi S/o Bishwanath Trivedi, Vill. - Barhouna, , P.S.- Telhara, Dist. - Nalanda, A/P. constable, B.M.P.-3, Secretary, Men's Association, B.M.P.- 3 unit.
 3. Niraj Kumar S/o Late Udeswar Sharma, Vill.- Ekkil, P.S.- Makhdumpur, Dist.- Jehanabad, A/P Driver constable , B.M.P.- 3 Bodh Gaya.
 4. Raju Tiwary S/o Mahendra Tiwary Vill.- Lilari, P.S.- Nokha , Dist.- Rohtas. A/P Driver constable, B.M.P.-3 Bodh Gaya.

.... Petitioner/s

Versus

1. The State of Bihar through the Home Secretary, Govt. of Bihar, Patna.
2. Director General cum Inspector General of Police, Bihar, Patna.
3. Additional Director General , B.M.P. Bihar, Patna.
4. Inspector General Of B.M.P., Bihar, Patna.
5. Dy. Inspector General, B.M.P, Central Zone, Patna.
6. Commandant, B.M.p.-3 , Bodh Gaya, Dist. -Gaya.
7. Addl. Superintendent of Police, B.M.P.-3 , Bodh Gaya.
8. Addl. Superintendent of Police, B.M.P.-3 , Bodh Gaya.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr Y.C.Verma, Sr. Advocate
Mr. Naresh Dass

For the Respondent/s : Smt. Namrata Mishra- GA13

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 09-02-2016

Heard learned senior counsel for the petitioners and
counsel for the State.

So far as Annexure- 1 is concerned, the order has already
been implemented by the petitioners by joining their respective post
of transfer. To that extent, the writ application has lost its meaning
now.

So far as Annexure- 2 is concerned, it is a decision of the Commandant of BMP 3 to initiate a departmental proceeding on the set of charges indicated therein. Learned senior counsel for the petitioners submits that nothing tangible has happened after passing of Annexure-2, dated 13.5.2015.

Even otherwise Annexures 1 and 2 are two diverse orders covering two diverse field, therefore, the Court will not entertain such writ applications seeking composite relief in one writ application. In addition to that, the petitioners have all the remedy available to them against the decision by even filing show cause and explaining their conduct. It is only after the authorities are not satisfied and decide to proceed in the matter, the question will arise whether such an enquiry is necessitated at all in the given facts. It is not that the petitioners are remediless even at that stage.

Writ application, therefore, is dismissed for the reasons indicated above.

(Ajay Kumar Tripathi, J)

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