

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1841 of 2016

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1. Gaurav Kumar S/o Satish Kumar Yadav R/o Village+ PO- Dal Sagar, P.S Buxar,
District Buxar.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Home Department, Govt. of Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Special Work Officer, Central Selection Board (Police Selection), Bihar, Patna
4. The Senior Police Officer, Gaya District Gaya.
5. The Deputy Inspector General of Police, Magadh Division, Gaya.
6. The Senior Superintendent of Police, Gaya District Gaya.
7. The Superintendent of Police, Gaya, Distt Gaya.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Adv.

For the Respondent/s : Mr. Arbind Kumar A.C. to G.A.9

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 17-10-2017

Heard Mr. Sharda Nand Mishra, learned counsel appearing for the petitioner, Mr. Arbind Kumar A.C. to G.A.9 for the State and Mr. Sanjay Pandey for the Central Selection Board.

The grievance of the petitioner is that having been selected for appointment by the Central Selection Board after undergoing a valid selection process vide appointment order dated 30.3.2015 at Annexure-3 that on an anonymous complaint received by the Central Selection Board, a recommendation was made by the Officer-on-Special Duty, Central Selection Board to the Senior Superintendent of Police on 17.10.2015 and acting thereupon that the Senior



Superintendent of Police has proceeded to cancel his selection vide order bearing Memo No. 3741 dated 3.10.2015.

The short argument made by Mr. Mishra is that the order of termination is resting on no formal proceeding nor any opportunity of hearing has been given. He further submits that even the ground so assigned for termination is no ground at all. He further informs that the petitioner has filed a statutory appeal before the Deputy Senior Superintendent of Police on 20.12.2015 at Annexure-11 which has yet remained pending.

Having heard learned counsel for the parties and considering that the matter yet remains pending before the appellate authority i.e. the Deputy Inspector General of Police, Magadh Range, Gaya I deem it proper to dispose of the writ petition with the direction to the Appellate Authority-cum-Deputy Inspector General of Police, Magadh Range, Gaya, to consider and dispose of the appeal preferred by the petitioner, a copy of which is present at Annexure-11, in accordance with law and after opportunity of hearing to the petitioner within a period of three months from the date of receipt/production of a copy of this order by speaking order.

(Jyoti Saran, J)

Bibhash

AFR/NAFR	NAFR
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