

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5128 of 2009

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Shailendra Kumar Singh s/o Late Sukhdeo Singh, r/v- Bandwar, P.S. – Neema
Chandpura, District - Begusarai

.... Petitioner/s

Versus

1. The Union of India through the Secretary Ministry of Home Affairs, Govt. of India, New Delhi
2. The Director General of Police, C.R.P.F., OGO Complex New Delhi-100003
3. The Director, (Medical) C.R.P.F., New Delhi
4. I.G.P. (R.P.F.) (NS) R.K.Puram, New Delhi – 100006
5. I.G.P., C.R.P.F., Digha C.R.P.F. Complex, Digha, Patna
6. D.I.G.P., C.R.P.F. Ajmer, Rajasthan
7. D.I.G.P., C.R.P.F., Digha C.R.P.F. Complex, Digha, Patna
8. ADIGP, GC, C.R.P.F., Mokamaghat, Patna
9. The Commandant 9th Bn. CRPF Mangaldai, Darrang, Assam

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. MITHILESH KR.RAI, Adv.
For the Respondent/s : Mr. Sanjay Kumar (ASST.SG)
Mr. Anjani Kumar Sharan (Cgc)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL JUDGMENT

Date: 23-02-2017

Heard both sides.

The petitioner filed this writ petition for quashing of order (Annexure-9) passed by Inspector General of Police, B/S, C.R.P.F., Patna, Bihar. Administration on 14.12.2007, by which the petitioner has been, inflicted punishment of stoppage of one increment for three years without cumulative effect.



The brief facts which are relevant for the disposal of this writ petition are that the petitioner was departmentally proceeded for his un-authorized absence for a year and the Disciplinary Authority after perusing the enquiry report ordered for compulsory retirement of the petitioner. Thereafter, the petitioner preferred C.W.J.C. No. 13479/06 which was dismissed on 23.04.2007. D.I.G.P., C.R.P.F., Patna issued show-cause notice for enhancement of punishment of the petitioner and after hearing the petitioner D.I.G.P., Patna set aside the order of compulsory retirement and order for stoppage of one increment for one year without cumulative effect. Thereafter, the Inspector General of Police issued show-cause notice to the petitioner for enhancement of the punishment as the punishment of stoppage of one increment without cumulative effect does not commensurate to the charge made against the period, but after hearing the petitioner and perusal of show-cause filed on behalf of the petitioner vide Annexure-9 Inspector General of Police imposed stoppage of one increment for three years without cumulative effect.

Learned counsel for the petitioner submits that the petitioner does not deserve any punishment, but I do not find any merit in this case on simple ground that the petitioner remained absent for more than one year without leave and the authority has taken very lenient view imposing only simple punishment.



Having considered the facts, this writ petition is dismissed as devoid of merit.

(Prabhat Kumar Jha, J.)

Vinita/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	NA

