

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4273 of 2011

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Kaushal Prasad Yadav, Son of Shri Narayan Prasad, Resident of Village-Ranipur,
P.S.-Kahalgaon, District-Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Director General of Police, Bihar, Patna.
3. The Inspector General of Police, Bhagalpur Zonal Bhagalpur.
4. The Deputy Inspector General of Police, Bhagalpur East Range, Bhagalpur.
5. The Superintendent of Police, Bhagalpur.
6. The Police Inspector cum Conducting Officer, Pirpaiti Circle at Bhagalpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Yadav, Advocate

For the Respondent/s : Mr. Birju Prasad, G.P.13

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date: 10-08-2017

Petitioner was working in the Police Department and based on a departmental enquiry conducted against him, the Superintendent of Police on 27.04.2006 imposed punishment of reduction to the basic for a period of five years and confirmation of the suspension order.

Aggrieved by the aforesaid order of punishment, petitioner preferred an appeal before the Director General of Police, vide Annexure-7, on 17.11.2008 and when nothing was done for a period of about two years, the writ petition in question was filed.

Having heard learned counsel for the parties and considering the fact that the appeal filed by the petitioner was not decided till the filing of the writ petition and in the counter affidavit filed by the respondents there is no indication that the appeal has



been decided and the copy of the order passed by the appellate authority having not been enclosed, it is thought appropriate to direct the Director General of Police, Bihar, Patna to consider the appeal of the petitioner and decide it in accordance with law, if not already decided. Accordingly, it is directed that on the petitioner filing a certified copy of this order along with relevant documents including memorandum of appeal, Annexure-7, or additional grounds of appeal, as may be permissible under law, the Director General of Police shall consider the same and decide the appeal in accordance with law by a speaking order within a period of 60 days from the date of its presentation. In case, the appeal has been decided, the appellate authority shall communicate the same to the petitioner and if still aggrieved by the action taken by the Director General of Police, petitioner shall have liberty to assail the same in accordance with law.

With the aforesaid, the writ petition stands disposed of.

(Rajendra Menon, CJ)

Sunil/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	19.08.2017
Transmission Date	

