

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1898 of 2015

IN

Civil Writ Jurisdiction Case No. 20636 of 2010

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Ramita Devi, W/o Suraj Prasad Yadav, R/o Village- Ekanger Dih, P.S. Ekanger Sarai, District Nalanda.

.... Appellant/s

Versus

1. The State of Bihar
2. Director General of Police, Bihar, Patna.
3. Sri Kundan Kishnan, the then Senior Superintendent of Police, Patna.
4. Sri Amit Kumar, the then Senior Superintendent of Police, Patna.
5. The Senior Superintendent of Police, Patna.
6. District Magistrate, Nalanda.
7. Superintendent of Police, Nalanda.
8. Officer in charge Ekangar Sarai Police Station, P.S. Ekangar Sarai Distt-Nalanda.
9. Suraj Prasad Yadav S/o Sheodhari Prasad Yadav R/o Village- Ekanger Dih, P.S. Ekanger Sarai, District Nalanda at present posted as Jamadar (Munshi) at refinery (O.P.), P.S.-Barauni, District-Begusarai..

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Rewti Kant Raman, Adv.

For the Respondent no.9 : Mr. Ram Subhas Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 08-11-2017

Heard counsel for the appellant as well as the respondent no.9.

Having perused the Annexure-3 and Annexure-5 of the writ application, we are prima facie satisfied that the Annexure-5 is a forged letter which has been obtained or procured may be at the instance of the husband of the present appellant by virtue of which the original order of payment of 50% of the salary to the private



respondent no.9 has been reduced to 1/3rd.

In fact, it is a serious matter where the Police Department should have held an enquiry as to how Annexure-5 came to be issued with regard to the same Zila Adesh No.3250/2008, but this time under the signature of yet another Sr. Superintendent of Police.

Be that as it may, the impugned order dated 20.08.2015 is modified. The reduction of 50% of the salary of the private respondent no.9 is ordered to be made which shall be in conformity with the original Patna Police Order No.3250/2008 dated 12.04.2008 annexed as Annexure-3 to the writ application. The order shall come into force with effect from payment of the salary which will be made from the month of November, 2017 onwards.

Appeal stands allowed to the extent indicated above.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

Arvind/-

AFR/NAFR	
CAV DATE	
Uploading Date	09.11.2017
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