

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.572 of 2017

=====

Sri Anuj Kumar, District Commandant, Home Guard, Saharsa, P.O. + P.S.
& District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Home Department, Government of Bihar, Old Secretariat, Patna.
2. The DG, Home Guard, Bihar, Patna.
3. The Director General of Police, (D.G.P.), Bihar, Patna.
4. The DG, Home Guard, Jharkhand, Ranchi.
5. The Principal Secretary, Home Department, Government of Jharkhand, Ranchi.
6. District Magistrate, Saharsa.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Bipin Bihari Singh, Adv.

For the Respondent/s : Mr. Kumar Vikram, AC to GA-4

=====

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 01-03-2017 Heard the parties.

The petitioner has questioned the initiation of a disciplinary proceedings inter alia on grounds that there is confusion as regarding the controlling authority as well as that there is gross delay and laches in initiation because it relates to an event which according to the petitioner, is 11 years back.

Be that as it may, the prerogative lies with the disciplinary authority, whether or not to initiate disciplinary proceeding and having chosen to do so, even if it relates to an event of which dates back 11 years, I find no infirmity in such initiation and the writ petition is disposed of.

It goes without saying that the petitioner would be at liberty to raise all objections as raised herein before the



Disciplinary Authority during the course of disciplinary proceeding.

The writ petition is disposed of accordingly.

I shall make it clear that I have expressed no opinion on the merits of the case.

(Jyoti Saran, J)

SKPathak/-

U			
---	--	--	--

