

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.489 of 2016
Arising out of
Civil Writ Jurisdiction Case No. 13762 of 2008**

=====

Maheshwar Das, Son of Late Basl Govind Ram, Resident of M.I.G., 287,
Kankarbagh, Police Station - Kankarbagh, District - Patna.

.... Appellant/s

Versus

1. The State of Bihar
2. The Principal Secretary, Home Department, Government of Bihar, Patna.
3. The Director General of Police, Bihar, Patna.
4. The Inspector General of Police, Bhagalpur Range, Bhagalpur.
5. The Deputy Inspector General of Police, Munger.
6. The Superintendent of Police, Begusarai.
7. The Deputy Secretary to Govt. Department of Home (Police) Government of Bihar, Patna.

.... Respondent/s

=====

Appearance:

For the Appellant/s : Mr. Arvind Kumar Tewary, Advocate.
For the Respondent/s : Mr. Anjani Kumar, AAG-6.
Mr. Brajesh Kumar, AC to AAG-6.

=====

**CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE SUDHIR SINGH**
ORAL JUDGMENT
(Per: HONOURABLE THE ACTING CHIEF JUSTICE)
Date: 21-02-2017

The challenge in the present Letters Patent Appeal is to
an order passed by the learned Single Bench on 30th of April, 2015
whereby, the punishment of censure awarded on 09th of October,
2007 was not interfered with.

In fact, the appellant was found absent from duty after
availing leave for two days w.e.f. 26th of February, 2004 as he joined
on 08th of April, 2004. It was the time when there were Lok Sabha
Elections 2004 as well. On account of absence from duty for such



period, the punishment of censure is insignificant punishment as a member of the disciplined police force. The appellant cannot be permitted to remain absent from duty for a long period.

We do not find that such punishment of censure warrants any interference in the writ proceedings. We do not find any error in the order passed by the learned Single Bench which may call for interference in the present Letters Patent Appeal. Accordingly, the same is dismissed.

(Hemant Gupta, ACJ)

(Sudhir Singh, J)

Mishra

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	01.03.2017
Transmission Date	

