

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15331 of 2016

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Sonu Kumar Singh Son of Sri Sharada Singh Resident of village - Dhobahi, Post Banni, Police Station Dhansoin, District Buxar, Bihar

.... Petitioner

Versus

1. The Union of India through the Director General Central Reserve Police Force, Head Quarter, New Delhi
2. The Director General Central Reserve Police Force, Head Quarter, New Delhi
3. The Inspector General, Range office, Central reserve Police Force, Patna Near Ashiyana Digha Road, Rajeevnagar, Patna
4. The Deputy Inspector General, Range office, Central reserve Police Force, Patna Near Ashiyana Digha Road, Rajeevnagar, Patna
5. Commandant Central Reserve Police Force, Block Colony, Latehar, Jharkhand

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Choudhary Shyam Nandan, Adv.

For the Respondent/s : Mr. Awadesh Kumar Pandey, SCGC
Mr. Ravinder Kumar Sharma, CGC

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 02-03-2017

Heard Mr. Choudhary Shyam Nandan, learned counsel for the petitioner and the learned counsel for Union of India.

In the nature of the order which this Court proposes to pass, it will not be required to enter into the merits of the case.

Suffice it to say that the petitioner held the post of a Cook and has been removed vide office order dated 3.8.2016 passed by the Commandant II-BN, C.R.P.F., Block Colony, Latehar in the State of Jharkhand, a copy of which is impugned at Annexure 2 to the writ petition. The allegation against the petitioner is of suppression. The termination is in exercise of power vested under Rule 5(1) of the



Central Civil Services (Temporary Services) Rules, 1965. The petitioner has questioned the termination order impugned at Annexure 2 before the appellate authority and which appeal has also been dismissed by the appellate authority i.e. the Inspector General of Police, C.R.P.F., Bihar Sector, Rajeev Nagar, Patna vide office order dated 16.11.2016, a copy of which has been placed on record vide Annexure 6 to I.A.No. 9739/2016.

Mr. Choudhary Shyam Nandan, learned counsel appearing on behalf of the petitioner, has submitted that being aggrieved by the termination order as affirmed by the appellate authority, the petitioner has preferred a revision under Rule 29 of the Central Reserve Police Force Rule, 1955 framed under the Central Reserve Police Force Act, 1949 and which is pending before the revisional authority, i.e. Director General, C.R.P.F. Headquarter, Lodi Road, New Delhi. A copy of the revision application is also placed vide Annexure 7 to the interlocutory application. It is submitted by Mr. Choudhary that the said revision application has not yet been disposed of.

Having heard learned counsel for the parties and considering that the revision application is yet pending consideration before the revisional authority, I deem it proper to dispose of the writ petition with a direction to the revisional authority i.e. Director General, C.R.P.F. Headquarter, Lodi Road, New Delhi, who is respondent no.2



herein, to consider the revision application of the petitioner, a copy of which is enclosed at Annexure 7 to the writ petition and dispose of the same in accordance with law expeditiously and preferably within three months from the date of receipt/ production of a copy of this order.

The writ petition is accordingly disposed of.

I shall place it on record that I have not enter into the merits of the case and thus the petitioner shall be at liberty to raise all issues as raised in this writ petition before the revisional authority.

(Jyoti Saran, J)

Surendra/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	15.03.2017
Transmission Date	NA

