

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17719 of 2010

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Jawahar Prasad Yadav @ Sadhu Saran Yadav, S/O Devki Prasad Yadav @ Patwari
Yadav, R/O Vill.- Vijay Amanat, P.S.- Rupauli, Distt.- Purnia.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. Of Bihar, Patna.
2. The D.G. of Police, Bihar, Patna.
3. The S.P. Of Katihar.
4. Rajiv Ranjan, S/O Not Known S.D.P.O., Katihar - Cum - Conducting Officer,
Katihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : None

For the Respondent/s : Mr. Nirbhay Prashant, AC to SC-17

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date: 10-08-2017

From the materials available on record, it is seen that petitioner has filed this writ petition seeking quashment of memo no.651 dated 06.02.2010 (Annexure-1) passed by the Superintendent of Police, Katihar initiating departmental proceeding No.1/10 against the petitioner.

It is seen that due to initiation of a criminal case against the petitioner, impugned action was taken and challenging the departmental proceedings initiated pending final decision of the criminal case, the writ petition was filed. However, on a perusal of the counter affidavit and the averment made in para 5 thereof, it is seen that the departmental proceedings initiated by proceeding no.1/10 has



culminated into final order of punishment, i.e. dismissal from service being imposed upon the petitioner and challenging the subsequent action, CWJC No.14457 of 2013 has been filed by the petitioner.

That being the position, now this writ petition challenging initiation of a departmental proceeding has been rendered infructuous due to culmination of the departmental enquiry in imposing a punishment upon the petitioner. Granting liberty to the petitioner to prosecute the matter in CWJC No.14457 of 2013, the liberty shall be available to the petitioner to raise all the grounds as are raised in the writ petition.

With the aforesaid, finding the petition to have been rendered infructuous stands disposed of.

(Rajendra Menon, CJ)

Sunil/-

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

