

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.47 of 2017**

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1. Bashishth Ram, Son of Sri V. Mawal Ram, Resident of Village- Ramghatahi,  
P.O.- Parsonda, P.S.- Shahpur, District- Bhojpur (Bihar).

.... .... Petitioner/s

Versus

1. The Union of India through the Director General of Police, Central Reserve Police Force, C.G.O. Complex, Lodhi Road, New Delhi- 110003.
2. The Inspector General of Police, Central Reserve Police Force, Bihar, Patna.
3. The Deputy Inspector General of Police, Bihar, Patna.
4. Commandant, 190 Battalion, Central Reserve Police Force, Chatra (Jharkhand).

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Manoj Kumar, Adv.

For the Respondent/s : Mr. Anjani Kumar Sharan, Asst. Solicitor General

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**CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN**

**ORAL JUDGMENT**

**Date: 10-07-2017**

In view of the liberty granted to the petitioner in the earlier round of proceedings arising from C.W.J.C.No.3850 of 2014, a copy of which is placed at Annexure-7 to the writ petition and taking note of the dismissal order placed on record vide Annexure-R/1/11 to the counter affidavit filed on behalf of the Union of India, as well taking note of the submission of Mr. Anjani Kumar Sharan, Assistant Solicitor General informing that there are statutory remedy of appeal and revision available to the petitioner for questioning the dismissal order, it stands confirmed that the petitioner has rushed to this Court without exhausting the alternative remedy so available to him in law.

Mr. Manoj Kumar, learned counsel for the petitioner at this



stage submits that there is a limitation period prescribed under the disciplinary rules for filing appeal and which has since expired. It is further submitted that though the dismissal order was passed on 8.9.2012 but since it was communicated to the petitioner in court through the counter affidavit filed in the proceedings, the petitioner be granted protection from the vice of limitation.

Having heard learned counsel for the parties and considering the circumstances existing the writ petition is disposed of with liberty to the petitioner to exhaust the statutory remedy of Appeal, Revision as may be available to him in law.

It goes without saying that should the petitioner question the order of dismissal within a period of 8 weeks from today before the appellate authority accompanied with the application of condonation of delay, the appellate authority would consider and dispose of the same in accordance with law bearing in mind that the copy of the dismissal order was handed over to the petitioner only during the course of the present proceeding.

The writ petition is disposed of accordingly.

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**(Jyoti Saran, J)**

