

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Letters Patent Appeal No.2119 of 2016**

**In**  
**Civil Writ Jurisdiction Case No.16506 of 2007**

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Ram Naresh Bhagat Son of Late Jai Lal Bhagat resident of village -Jataulia,  
Muja Tola, Narwara, Police Station Deoria, District Muzaffarpur

... .. Appellant/s

Versus

1. The Union of India through the Ministry of Home Affairs, Government of India, New Delhi
2. The Secretary, the Ministry of Home Affairs, New Delhi
3. The Inspector General, Central Reserve Police Force, Gomati Nagar, Lucknow ( Uttar Pradesh )
4. The Deputy Inspector General, Central Reserve Police Force, Allahabad ( Uttar Pradesh )
5. The Commandant, 72, Central Reserve Police Force, Old Court Campus, Chas, Bokaro ( Jharkhand )

... .. Respondent/s

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**Appearance :**

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|----------------------|---|-----------------------------------------------------------------------------|
| For the Appellant/s  | : | Mr. Suraj Narain Yadav<br>Advocate<br>Mr. Upendra Kumar Chaubey<br>Advocate |
| For the Respondent/s | : | Mr. S.D Sanjay<br>Addl. Soc. Gen.<br>Mr. Anjani Kumar Sharan<br>ASG         |

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**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI**  
**and**  
**HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

**(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)**

7     05-01-2018             Heard learned counsel for the appellant and learned  
Additional Solicitor General, representing the Union of India.

Writ Application of the petitioner has been dismissed. The  
Learned Single Judge refused to interfere with the order of  
dismissal, passed against the appellant, vide, order, dated  
28.07.2016. Not only the appellant has had the habit of



absconding from the Unit for long period of time on many an occasions, but despite proper communications and valid service, he refused to participate in the enquiry and compelled the authorities to hold ex-parte enquiry.

Since the creation of the situation is totally attributable to the appellant and since the appellant comes from a disciplined force, such kind of conduct and behaviour cannot be condoned and the spacious plea of obtaining certification from doctors about one illness or the others for his prolonged absence, cannot beget him any benefit of doubt.

The findings being what they are, the Learned Single Judge also having gone through the original record of the enquiry and not having found any infirmity, this Court is not inclined to interfere with the impugned order. Appeal has no merit, it is dismissed.

**(Ajay Kumar Tripathi, J)**

**( Nilu Agrawal, J)**

skm/-

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