

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.14856 of 2018

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Vinay Kumar Singh, Son of Late Jagdish Singh, resident of Baikunathpur, P.S.-
Andar, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Director General of Police, Bihar, Patna.
3. The Deputy Inspector General of Police Saran Area, at Chapra.
4. The Deputy Inspector General of Police Crime Investigation Department, Bihar,
Patna.
5. The Superintendent of Police, Gopalganj.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shubh Narain Singh, Advocate
For the Respondent/s : Mr. P.K. Verma - AAG3

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 01-10-2018

Heard learned counsel for the petitioner and learned counsel for
the State.

In the present writ petition, the petitioner is seeking voluntary
retirement on the ground of his physical and mental condition as has
been stated that he is not in a position to discharge his routine
mundane duty and facing great problem even in carrying out the
same.

Earlier the wife of the petitioner has moved before this Court
for grant of voluntary retirement and presently the petitioner is
seeking relief that he is unable to discharge the function and duty
attached to the office.



Learned counsel for the State has not denied the physical and mental condition of the petitioner and his application is still pending though he has given three months notice as per Rule 76 of the Bihar Service Code. When the petitioner satisfies all the conditions and submitting that he is not in a position to discharge the routine daily chore of his life. Keeping such persons in service is nothing but carrying load rather he is tool for serving the public.

In such circumstances, this Court directs that Authority would dispose of the application of the petitioner which is pending before them for the purposes of voluntary retirement.

The Authority would take decision in the matter within a period of eight weeks from the date of receipt/production of a copy of this order and also Authority will examine his physical and mental condition whether he is in condition to perform the duty in office.

With the aforesaid observations and directions this writ petition is disposed of.

(Shivaji Pandey, J)

Vinay/Sunny

AFR/NAFR	NAFR
CAV DATE	NA
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