

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.188 of 2016

=====

Sambhu Kumar son of Late Bhola Singh of Village- P.O. Itahari (Pachkhutti) P.S.
Naya Ramnagar, Munger.

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna
2. The D.G. cum I.G. of Police, Bihar, Patna
3. The Zonal I.G. Muzaffarpur Zone, Muzaffarpur
4. The D.I.G. of Police, Saran Range (Chhapra) Saran
5. The S.P. Saran (Chhapra)

.... Respondents

=====

Appearance :

For the Petitioner/s : Mr. Ram Hriday Prasad, Adv.
Ms. Maruti Kumari, Adv.

For the Respondent/s : Mr. Manoj Kumar Ambastha, AC to SC-26

=====

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 16-01-2018

Heard Mr. Ram Hriday Prasad, learned counsel for the petitioner and Mr. Manoj Kumar Ambastha, learned AC to SC-26, for the State.

While the petitioner prays for a direction to the respondents for enhancement of his subsistence allowance and a representation to such effect has been filed before the Superintendent of Police, Saran at Chapra on 21.2.2015 at Annexure 2, the counter affidavit filed on behalf of the Superintendent of Police, Saran gives a rather dismal picture of the manner in which the issue is being handled by the respondents themselves. Even though the petitioner is put to great suspect as to the manner of obtaining his appointment to the post of Constable and the proceeding in this regard has been initiated against



him as back as in 2010 vide Annexure 'A' but the records of the present proceeding neither encloses a formal order initiating such proceedings nor any order suspending the petitioner is present. Moreover, though the petitioner is facing suspension, in a peculiar situation, he is being transferred from one district force to another district force as if he is in regular service.

It is for the respondents to address themselves on these peculiarities, however, in the nature of the contest noticed, let the proceeding so initiated, be concluded within six months from today by the disciplinary authority.

As regarding enhancement of the subsistence allowance, the Superintendent of Police, Saran at Chapra or the authority concerned is directed to consider the grievance and dispose of the same within eight weeks from today.

The writ petition is disposed of with the aforementioned directions.

(Jyoti Saran, J)

Surendra/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	19.01.2018
Transmission Date	NA

