

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2121 of 2016

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Nawal Kishore Choudhary, son of Sri Bimal Choudhary, a resident of village Goaun Bhagwanpur, P.O. – Poudmoll, P.S. – Kurhani, District – Muzaffarpur.

.... Petitioner

Versus

1. Union of India through Director General, Reserve Police Force, New Delhi namely Shri K. Durga Prasad I.P.S.
2. Mr. Surendra Singh I.P.S. Inspector General, Bihar Sector, Central Reserve Police Force Patna 25, Bihar.
3. Binay Kumar Roy, Deputy Insepctor General, Group Centre Central Reserve Police Force, Range HQR Jhapha, Muzaffarpur, Bihar.
4. Binay Kumar Roy, Commandant Group Centre, Central Reserve Police Force, Muzaffarpur.
5. Mr. Niranjana Kumar, Enquiry Officer cum Assistant Commandant, Group Centre, Central Reserve Police Force Muzaffarpur.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Rajni Kant Jha

For the Union of India : Mr. Anjani Kr. Sharan, Asst. S.G.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 20-08-2018

Heard learned counsel for the petitioner and

learned Assistant Solicitor General for the Union of India.

The petitioner has alleged willful disobedience to the order dated 10.12.2015 passed in CWJC No. 20111 of 2014. The operative part of the order reads as under:

“10. In my view, as the petitioner was charged for offence under section 10(a) of the CRPF Act, the punishment ought to have been accorded in terms of the said provisions itself. As the punishment has been accorded in terms of section 11(1) of the Act, the same is not tenable in law and is accordingly set aside. The impugned order passed by respondent nos. 2, 3 and 4 is set aside and the matter is remitted to



respondent no. 4 for passing a fresh order on the quantum of punishment.”

It is the grievance of the petitioner that despite the aforesaid quashing of the impugned order of respondent no. 2, 3 and 4, the petitioner was not allowed to join and no order has been passed. To this court it appears that the learned writ court had while remitting the matter back to respondent no. 4 had directed him to pass fresh order on the quantum of punishment, there was no order of reinstatement of the petitioner. Learned counsel representing the petitioner submits that the application has become infructuous.

This contempt application is dismissed, accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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