

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1164 of 2018

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Raj Bharat Prasad Singh, Son of Late Ram Ishwar Singh, resident of Village-
Ahiley, P.O. Kurmi Chak, P.S.- Narayanpur (Sahar), District- Bhojpur (Ara).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home, Government of Bihar, Patna.
2. The Director General of Police, Government of Bihar, Patna.
3. The Inspector General of Police (H.Q.) Govt. of Bihar, Patna.
4. The Deputy Inspector of General of Police, Saran Range, Chhapra, Bihar.
5. The Superintendent of Police Cum Disciplinary authority, Gopalganj, District-Gopalganj.
6. The Enquiry Officer-cum-Sub Divisional Police Officer, Hathua, District-Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Adv.
For the Respondent/s : Mr. Dhurendra Kumar, AC to GP5

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 12-12-2018

Heard learned counsel for the parties.

In this case, the petitioner has prayed for following
relief:-

“1(i) That this is an application for issuance of appropriate writ preferably in nature of CERTIORARI for quashing the order of punishment issued vide memo no. 1172/२०१० dated 5.7.2017 by the Superintendent of Police, Gopalganj whereby and whereunder petitioner has been awarded one “black marks” which is a major punishment under the Bihar Police Manual.

(ii) For issuance of writ of mandamus commanding the Respondent authorities to post the



petitioner on the post of Sub Inspector in accordance with order issued vide memo no. 2362 dated 12.8.2016 passed by I.G. of Police, Patna.”

The petitioner is not pressing the relief no.1 as the Inspector General of Police Headquarter has withdrawn the order of punishment and remanded back to the enquiry officer to conduct a fresh enquiry.

So far relief no.2 is concerned, the same relates to post the petitioner on the post of Sub Inspector in accordance with order issued vide Memo No. 2362 dated 12.8.2016 passed by the I.G. of Police, Patna as they have been deprived to discharge the function on account of pendency of the departmental proceeding.

Learned counsel for the petitioner submits that the second issue has already been settled in C.W.J.C. No. 4535 of 2018 (Chandrika Ram Vs. The State of Bihar & Ors.).

Let the authority should consider the case of the present petitioner and the case of aforesaid Chandrika Ram and if it is found that the fact, law and prayer of the present petitioner are identical to the case of Chandrika Ram, the petitioner will also be given the identical relief as has been given to Chandrika Ram.

With the aforementioned observation, this writ



application is disposed of.

(Shivaji Pandey, J)

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