

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3700 of 2019

=====

Laxminarayan Mahto, son of Basant Mahto, Resident of Nautanwa, P.S.
Nautanwan , Distt.- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Home Department, Govt. of Bihar, Patna.
2. The Director General of Police, Government of Bihar, Patna.
3. The Inspector General of Police, Muzaffarpur.
4. The Deputy Inspector General of Police, Champaran Region, Bettiah- cum- Deputy Inspector General of Police, Saran Region, Chapra
5. The Superintendent of Police, Gopalganj.
6. The Officer in- Charge, Baikunthpur Police Station, Distt.- Gopalganj.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Rajendra Narayan, Sr. Adv Mr. Durga Narayan, Adv Mr. Krishna Sinha, Adv
For the Respondent/s	:	Mr. Apurva Kumar, AC to GA-4

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 27-02-2019

The petitioner, who is a Sub-Inspector of Police has challenged the order dated 19.10.2018 contained in Memo No. 3066 issued under the signature of Deputy Inspector General of Police, Champaran Region, Bettiah-cum-Deputy Inspector General of Police, Saran Region, Chapra whereby the petitioner has been dismissed from service with immediate effect.



The aforesaid order of dismissal has been passed under the provisions of Article 311(2) proviso (b) of the Constitution of India.

Mr. Rajendra Narayan, learned senior counsel for the petitioner initially challenged the aforesaid order on the ground of *mala fides* and also on the ground that without subjecting the petitioner to any disciplinary proceeding, he has been slapped with a punishment of dismissal but later agreed to press the appeal which he has preferred before the Inspector General of Police, Muzaffarpur.

From the records, it appears that the appeal before the Inspector General of Police, Muzaffarpur has been preferred on 28.12.2018.

Under the circumstances, the Inspector General of Police, Muzaffarpur is directed to dispose off the appeal of the petitioner as expeditiously as possible, preferably within a period of eight weeks from the date of receipt/production of a copy of this order.

Needless to state that if the petitioner remains aggrieved thereafter, he can approach this Court for the



needful.

With the aforesaid observation/direction, the writ
petition is disposed off.

(Ashutosh Kumar, J)

Shageer/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	02/03/2019

