

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3199 of 2019

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Rajendra Ram, aged about 45 years (Male), Son of Late Sohan Ram, Resident of Village-Mor, P.S.-Mokama, District-Patna, presently Dhauiya Bagicha Railway Colony, P.S.-Delha, Distt.-Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Department of Home, Bihar, Patna.
2. The Director General of Police, Bihar Military Police, Bihar, Patna.
3. The Inspector General of Police, Bihar Military Police, Bihar, Patna.
4. The Deputy Inspector General of Police, Bihar Military Police, Bihar, Patna
5. The Commandant, Bihar Military Police, 03, Bodhgaya, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Adv.

For the Respondent/s : Mr. Partha Sarthy (GA 4)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL JUDGMENT

Date : 20-02-2019

The petitioner, a cook in the Bihar Military Police-03, Bodh Gaya, was put to departmental proceeding for remaining absent unauthorizedly from 15.01.2013 to 15.09.2013 and was dismissed from service with a further direction that the salary for the aforesaid period of his



absence shall also be forfeited and except for subsistence allowance, the petitioner shall not be paid anything else. The aforesaid order of dismissal was passed on 30.11.2013, contained in Memo No. 2996, issued under the signature of the Commandant, Bihar Military Police-03, Bodh Gaya.

2. Against the aforesaid order of dismissal, the petitioner has preferred an appeal before the Inspector General of Police, Bihar Military Police, Bihar, Patna within time on 21.12.2013.

3. Surprisingly, the aforesaid appeal has not yet been disposed off. This appears to be rather surprising that an employee has been dismissed from service, but his appeal has not been taken up/decided for about six years by now. No reason can explain such apathy.

4. Under the aforesaid circumstances, the concerned respondent, viz., the Inspector General of Police, Bihar Military Police, Bihar, Patna (respondent No. 3) is directed to dispose off the appeal preferred by the petitioner within a period of four weeks from today by a reasoned order.



5. Because the Memo of Appeal had been filed on 21.12.2013, for the convenience of the Appellate Authority, the petitioner is further directed to file a Memo of Appeal, which would serve as a reminder to the concerned respondent/Appellate Authority, enclosing a copy of the present order, within a period of one week from today.

6. Needless to state that the aforesaid direction would be followed, in case the appeal has already not been disposed off by the concerned respondent/Appellate Authority.

7. With the aforesaid observation and direction, the writ petition stands disposed off.

(Ashutosh Kumar, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
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