

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13055 of 2017

=====

Ramashish Sharma Son of Late Raj Ballabh Sharma, Resident of Village-
Govindpur, Police Station- Okari, District- Jehanabad. Petitioner/s
Versus

1. The State of Bihar
2. The Director General of Police, Bihar, Patna.
3. The Inspector General of Police, Patna.
4. Deputy Inspector General of Police, Patna.
5. The Superintendent of Police, Nalanda, Biharsharif.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr.Shakti Suman Kumar
For the Respondent/s	:	Mr. Nadeem Siraj-Gp5
		Ms. Shalini AC to GP-5

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 19-06-2019 Heard learned counsel for the petitioner and learned
A.C. to G.P.-5.

The petitioner has filed the instant application stating that he was appointed on the post of illiterate Constable on 11.04.1969. Although the statement has been made on behalf of the petitioner that he retired from service on 11.04.2010 and prayer has been made for directing the respondents to pay all the retiral benefits but at the same time in paragraph-6 of the writ application there is categorical admission that the petitioner was dismissed from service on 05.05.1995. It has further been stated that he has preferred a memorial before the Director General of Police on 18.09.2008 and the same is pending.

A counter affidavit has been filed on behalf of



respondent nos. 3 and 4 wherein a copy of the order dated 26.04.1995 has been brought on record whereby the petitioner was dismissed from service. It is further contention on behalf of the State that even the appeal filed by the petitioner before the D.G.-cum-I.G. of Police, Bihar, has been rejected vide order dated 20.02.1997 and a copy of the said order has been brought on record as Annexure-B to the counter affidavit.

In view of the aforesaid facts and circumstances of the case as also the uncontroverted fact that the petitioner has been dismissed in the year 1995 itself and the said order of dismissal has still not been set-aside/modified, petitioner would not be entitled to pension.

As such, not finding any merit in this writ application, the same is dismissed.

(Partha Sarthy, J)

sushma/-

U		T	
---	--	---	--

