

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 6834 of 2015

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Jogendra Ravidas, Son of Sri Ramashish Ravidas, Resident of Village -
Jageshwar Tola Pabhera, P.S. - Dhanarua, District - Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Government of Bihar, Patna
2. D.G. of Police, Bihar, Patna.
3. I.G. Rail, Bihar Patna.
4. D.I.G. Rail, Bihar, Patna.
5. S.P. Rail, Katihar, District - Katihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr Ebrahim Kabir, Ms Shruti Sinha, Advocates
For the Respondent/s	:	Mr.Aag6- Anjani Kumar

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date : 09-04-2019

Heard learned counsel for the petitioner and the respondent-State.

2 Learned counsel for the petitioner submits that before inflicting punishment of one black mark and forfeiture of increment for six months of petitioner, opportunity of making reply to the second show cause was not granted to the petitioner.

3 The procedure for inflicting the punishment, which has been inflicted against the petitioner, is prescribed under Rule 828 (c) of the Bihar Police Manual. The same does not require a



formal enquiry in the form of a proceeding. The Superintendent is only required to depute an officer to record the evidence and take his defence. It is not disputed by the petitioner that the procedure prescribed under Section 828 (c) of the Bihar Police Manual has not been followed. He only submits that opportunity of second show cause has not been given to the petitioner.

4 Since the punishment is, as per procedure prescribed under Rule 828 (c) of the Bihar Police Manual, this Court does not find it a fit case to interfere with the order of punishment.

5 Writ petition is devoid of merit and the same is dismissed.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	09.04.2019
Transmission Date	NA

