

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7723 of 2015

Vibha Devi Wife of Late Ajay Singh. Resident of Village P.O.- Jaitpur, P.S.-
Daudpur, District - Chapra, Saran.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Director General of Police, Bihar, Patna.
3. The D.I.G., BMP North Bihar, Muzaffarpur.
4. The Commandant, BMP - 9, Jamalpur, Munger, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar
For the Respondent/s : Mr.Manoj Kumar, AC to GP 4

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 17-07-2019 Heard counsel for the petitioner and counsel for the
respondents-State.

Writ petition has been filed by one Vibha Devi claiming to be wife of the deceased Ajay Singh who was a constable posted in the Bihar Military Police, D Company-9.

Wife of deceased constable has challenged order of dismissal dated 28.01.2009, rejection of appeal order dated 29.05.2009 as also order issued by D.G.P. Bihar rejecting memorial filed by the petitioner's husband dated 02.08.2011. These three orders have been assailed in the instant proceedings filed by wife of the deceased constable that also much after the punishment order dated 28.01.2009.

This court however, has gone through the enquiry report, second show cause and the order of dismissal.



Counsel for the petitioner submits that orders are not in accordance with law as the appellate order is without assigning any reason.

Perusal of enquiry report reveals that giving due opportunity, petitioner was proceeded against on charges of using abusive languages and misbehaving with his superior authorities on refusal of his application for leave.

From records it appears that before Enquiry Officer, allegations were sustained by the witnesses. Petitioner's husband was allowed opportunity to cross-examine and after due consideration, order has been passed. Enquiry Officer found charges proved and after opportunity by issuing second show cause notice, order of dismissal was passed.

The facts therefore do not permit the petitioner to invoke jurisdiction of this court under Article 226 of the Constitution of India. Apparently, there is no procedural laches necessitating interference by this court.

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

(Madhuresh Prasad, J)

s.hassan/-

U			
---	--	--	--

