

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14208 of 2014

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Sipahi 316 Braj Bhusan Singh S/O Shambhu Sharan singh Resident of
Village- Barail P.S. Supaul, District Supaul

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Director General of Police, Bihar, Patna
3. The Superintendent of Police, Buxar
4. The Sub-Divisional Police Officer, Buxar

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sanjay Singh
		Mr. Anil Prasad Singh
For the Respondent/s	:	Mr.Sriram Krishna

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 13-08-2019 Heard Mr. Singh counsel for the petitioner and
counsel for the respondents-State.

Short submission advanced by Mr. Singh is that order of dismissal dated 25.08.2015 which is pending consideration in the memorial before the Director General of Police, Bihar, Patna has been issued without serving copy of the enquiry report and without serving second show cause notice to the petitioner.

Memorial has been preferred as far back as in August, 2016. However, till date there is no decision on the same. Writ petitioner continues to suffer by virtue of dismissal order which as per his submission is product of a procedure which is contrary to law, without serving second show cause notice to the



petitioner.

Since issue is pending consideration before the Director General of Police, Bihar, Patna, this court would direct that memorial be disposed of by respondent no.2 expeditiously and without undue delay while considering/ disposing of memorial, authority should consider the plea raised by the petitioner regarding non-service of second show cause notice upon the petitioner in the background of the decision in the case of Rohit Kumar decided by the court on 06.12.2016 in the proceedings arising out of CWJC no. 10822/2015.

Let final decision be taken by the authority within eight weeks from the date of receipt/production of a copy of this order by a reasoned and speaking order in accordance with law.

Writ petition is disposed of.

(Madhuresh Prasad, J)

s.hassan/-

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