

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4426 of 2016

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Braj Bhushan Kumar Singh Son of Nageshwar Singh resident of village -
Naryanpur, P.O. Nasratpur, P.S. Sandesh, District - Bhojpur

... .. Petitioner/s

Versus

1. The Union Of India
2. The Inspector General, Central Industrial Security Force, Eastern Zone Patna
3. The Deputy Inspector General, Central Industrial Security Force, Eastern Zone Headquarter at Patna
4. The Commandant - Cum - Disciplinary Authority Central Industrial Security Force, Unit KhSTPP, Kahalgaon, Bhagalpur
5. The Presenting Officer, C.I.S.F., KhSTPP Kahalgaon, District - Bhagalpur
6. The Inspector - Cum - Enquiry Office, Central Industrial Security Force, KhSTPP Kahalgaon, District Bhagalpur

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Paras Nath
For the Respondent UOI :		Mr.S.D Sanjay Addl. Soc. General
		Mr. Rajesh Kumar Verma, Asstt. Soc. General

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 19-06-2019 Heard counsel for the petitioner and counsel for the respondents-Union of India.

Petitioner being member of Central Industrial Security Force was subjected to proceeding against the act of misconduct. It is alleged that on 23.05.2013 at 9 p.m., petitioner was in an inebriated condition and left campus of CISF unit at Kahalgaon and indulged in quarreling with outsiders. Act of the petitioner had created nuisance in the area. Proceeding was conducted against the petitioner and order of punishment was



awarded to the petitioner. Initially, penalty was reduction of pay to the minimum stage of pay from Rs 8000/- + 2000/- to Rs 6100/ + 2000/ in the pay band of Rs 5200-20200 + Grade pay of Rs 2000/ for a period of three years with immediate effect. Petitioner was also deprived of his increment during the period of reduction of pay. It was further directed that after period of reduction, same will have effect of postponing his future increments of pay. Punishment was subsequently amended by order dated 21.11.2013 and instead of reduction to minimum stage of Rs 6100 + 2000/, quantum of punishment was reduced and instead of Rs 6200/-, he was awarded pay Rs 6460/ + 2000/. All other punishments remain unaffected. Against the order of punishment issued by Commandant, petitioner preferred appeal before DIG Eastern Zone, Headquarter at Patna and the appeal of the petitioner was rejected vide order dated 05.12.2013. Against the said order, he preferred revision application before Inspector General, Central Security Force, Eastern Zone, Patna which was also rejected by the divisional authority.

Writ petition has been filed alleging that punishment is grossly disproportionate and excessive in respect of charge alleged and found proved against the petitioner as the same is likely to prejudice his career in force.



No other procedural defect or irregularity has been pointed out by counsel for the petitioner in course of court proceedings. This court does not find any reason to interfere with the punishment awarded to the petitioner.

The nature of misconduct which has been proved against the petitioner being member of a paramilitary force fully justifies the punishment awarded to the petitioner. Punishment does not require any interference by this court.

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

(Madhuresh Prasad, J)

s.hassan/-

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