

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5420 of 2015

MEWA LAL PRASAD SON OF LATE JATTADHARI PRASAD, EX SUB
INSPECTOR OF POLICE, SARAN, RESIDENT OF VILLAGE- KOTHIA
SORA GODAM, POST-KOTHIA NARAON PS- AWATARNAGAR,
DISTRICT- SARAN - 841216 BIHAR **Petitioner**

Versus

1. THE STATE OF BIHAR THROUGH THE CHIEF SECRETARY,
GOVERNMENT OF BIHAR, PATNA.
2. THE PRINCIPAL SECRETARY, DEPARTMENT OF HOME,
GOVERNMENT OF BIHAR, PATNA.
3. THE DIRECTOR GENERAL OF POLICE, BIHAR, PATNA.
4. THE INSPECTOR GENERAL OF POLICE, SARAN ZONE, SARAN
BIHAR
5. THE DEPUTY INSPECTOR GENERAL OF POLICE, SARAN RANGE,
SARAN BIHAR
6. THE SUPERINTENDANT OF POLICE, SARAN.
7. THE SUPERINTENDANT OF POLICE, HAZIPUR, VAISHALI.
8. THE ACCOUNTANT GENERAL (A & E), BIR CHAND PATEL PATH,
PATNA BIHAR - 800001 **Respondents**

Appearance :

For the Petitioner	:	Mr.Munna Pd Dixit, advocate, Mr. Sanjay Kr. Chaubey, advocate, Mr. S.K.Dixit, advocate
For the State	:	Prachi Pallavi, AC to Advocate General
For the AG, Bihar	:	Mr. Satyendra Kr. Ojha, advocate

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 29-01-2019 Heard learned counsel for the petitioner as well as
learned counsel appearing for the respondents.

Learned counsel for the petitioner submits that on
26.7.2014 petitioner was served with order granting benefits of
Modified Assured Career Progression (MACP), whereby and
whereunder he was made aware of the punishment dated
25.9.2007. Prior to his superannuation on 29.2.2012 the
petitioner had no intimation regarding the said punishment
order. He therefore assails the effect of order dated 25.9.2007



received by him under communication dated 26.7.2014 much after his retirement.

It is his submission that in respect of his punishment dated 25.9.2007 he has filed his appeal before the Deputy Inspector General of Police, Saran Range, Siwan on 21.8.2014. However, the same has not yet been disposed of still date.

Annexure 5 is a copy of petitioner's appeal. It appears that the appeal has been addressed to the wrong authority. However, said appeal has been forwarded to the Deputy Inspector General of Police, Saran Ranage, Chaprea (respondent no.5) as is apparent from the same.

Since a copy of the appeal filed by the petitioner way back in the year 2014 has already been sent to respondent no.5, this Court would observe that respondent no.5 be obliged to consider petitioner's appeal on it own merits and a decision is required to be taken by a reasoned and speaking order in accordance with law within a period of eight weeks from the date of receipt/production of a copy of this order.

Writ petition stands disposed of.

(Madhuresh Prasad, J)

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