

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.579 of 2018
In
Civil Writ Jurisdiction Case No.6534 of 2006**

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Ram Chandra Sharma Son of Late Ganesh Sharma, Resident of Mohalla-Shri Ram Nagar (Gajadhar Chowk), Gola Road, P.S.-Danapur, District-Patna.

... .. Appellant/s

Versus

1. The State Of Bihar through the Commissioner-Cum-Secretary, Department of Home (Police) Bihar, Patna.
2. The Commissioner-Cum-Secretary, Department of Home (Police), Bihar, Patna.
3. The Director General Of Police, Bihar, Patna.
4. The Inspector General of Police Railway, Bihar, Patna.
5. The Deputy Secretary, Department of Home (Police), Bihar, Patna
6. The Superintendent of Police, (Railway), Patna.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Rakesh Kumar, Advocate
For the Respondent/s : Mr.P.K.Verma -Aag3

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**CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)**

Date : 18-06-2019

Heard learned counsel for the appellant.

The appellant is alleged to have entered into a bigamous relationship with one Smt. Madhuri Devi. He was in the Police Services and he was charge-sheeted on account of this relationship. During enquiry, on the strength of the evidence which was led, it was proved that the appellant had tendered an



application for the employment of Smt. Madhuri Devi who is stated to be the alleged second wife of the appellant. This document could not be successfully rebutted by the appellant and, therefore, the fact that he had a relationship with another lady whom he depicted as a wife was known to the respondents. This aspect having been proved, an order of dismissal came to be passed.

On appeal, the appellant has succeeded to the extent that his punishment order of dismissal has been converted into compulsory retirement extending him some benefit on the basis of the evidence that was adduced, but this, in our opinion, clearly is a concession which was granted by the appellate authority keeping in view the family status of the appellant and the factum of his having served the Police Services with no other adverse material against him.

In the given circumstances, we find that the appellate authority has taken a compassionate view of the matter and has rendered a lesser punishment so as to enable the appellant to receive his post retiral benefits.

Consequently, the balanced view taken by the authority does not require any interference by the High Court and, therefore, the same having been upheld by the learned



Single Judge does not require any interference by us in this appeal which is, accordingly, consigned to records.

(Amreshwar Pratap Sahi, CJ)

(Anjana Mishra, J)

Saif/-

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