

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13660 of 2019

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Sujit Kumar Yadav, aged about 35 years, male, Son of Sakaldeo Prasad Yadav,
Resident of Village- Koriyan, P.S.- Asarganj, District- Munger.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. D.G. of Police, Bihar, Patna.
3. D.I.G., Munger Range, Munger.
4. S.P., Lakhisarai.
5. Dy. S.P. (Praraksha) Police Line, Lakhisarai-Cum-Enquiry Officer,
Lakhisarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ebrahim Kabir, Adv.
For the Respondent/s : Md. Irshad, A.C. to S.C. 1

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT
Date : 09-07-2019

Heard Mr. Ebrahim Kabir, the learned Advocate
for the petitioner and Md. Irshad, learned A.C. to S.C. 1.

2. The petitioner seeks a direction to the respondents for stay of the Departmental Enquiry (Proceeding) No. 3 of 2017 till the conclusion of Kotwali P.S. Case No. 20 of 2017 dated 18.01.2017, which has been instituted against the petitioner under Section 37(a) of the Bihar Prohibition and Excise Act, 2016.

3. The petitioner in the aforesaid departmental



proceeding was dismissed from service. However, in the appeal, the order of dismissal was set-aside and the petitioner was reinstated. However, a fresh enquiry was directed to be initiated against the petitioner. The aforesaid enquiry, viz., Departmental Enquiry (Proceeding) No. 3 of 2017 is afoot.

4. No good ground has been made out by the petitioner for staying the aforesaid enquiry proceeding till the conclusion of Kotwali P.S. Case No. 20 of 2017, referred to above. Not in all cases where the allegations are similar is the enquiry proceeding to be stayed till the conclusion of the criminal case. The disposal of the criminal case would take a longer time and it would not be desirable for the departmental proceeding to be stayed in the meanwhile.

5. No good ground having been made out for interference of this Court, the petition is dismissed.

(Ashutosh Kumar, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
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