

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17353 of 2016

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Dani Singh son of Late Baleshwar Singh at and P.O. Bhadseni, P.S.- Hisua,
District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Home (Police) Deptt., Bihar, Patna.
3. The D.G.-cum-I.G. of Police, Bihar, Patna.
4. The D.I.G. of Police, Eastern Zone, Bhagalpur.
5. The Senior S.P., Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sangiv Kumar, Adv.
For the Respondent/s : Mr.Md.Nadeem Seraj, GP-5

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 09-08-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is claiming promotion to the post of Sub-Inspector which has not been given, though the recommendation was made for consideration of promotion of the petitioner to the Police Head Quarter, but the pendency of departmental proceeding nos. 38 of 2014 and 20 of 2015 was the reason for non-consideration of the claim of promotion of the petitioner. The departmental proceeding no. 38 of 2014 has been concluded by awarding two black marks, but in appeal, the punishment has been converted into censure.

As per the petitioner, censure is a minor punishment



would not affect the entitlement of promotion to the petitioner whereas the counsel for the State submits as the petitioner was facing departmental proceeding during the period of consideration of his promotion and punishment has been awarded.

However,, without entering into the controversy, effect period of punishment is over, this Court directs the competent authority i.e. Director General of Police, Bihar, Patna (Respondent no. 3) to consider the case of the petitioner and take decision in accordance with law within a period of four months from the date of receipt or production of a copy of this order.

Accordingly, this application is disposed of.

(Shivaji Pandey, J)

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