

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13981 of 2019

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Baleshwar Paswan, Son of late Jhauili Paswan, R/o Village- Ekhattha, P.S. Khutauna, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Special Secretary, Home (Police), Patna.
2. The Director General of Police, Bihar, Patna.
3. The Inspector General of Police (Headquarters), Bihar, Patna.
4. The Inspector General of Police, Bhagalpur Range, Bhagalpur.
5. The Deputy Inspector General of Police, Munger Range, Munger.
6. The Superintendent of Police, Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar, Advocate
For the Respondent/s : Mr. Md. Nadim Seraj (GP 5)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 15-07-2019

Heard the learned counsel for the parties.

2. The petitioner, an ASI of police has challenged the order dated 30.03.2019 passed by the Deputy Inspector General of Police, Munger whereby he has been dismissed from service.

3. The petitioner has not appealed against the aforesaid order on the ground that the order of dismissal has been passed without any disciplinary proceeding,



perhaps under the provisions of Article 311 (2)(b) of the Constitution.

4. It has been submitted on behalf of the petitioner that even for resorting/invoking the aforesaid provision of the Constitution, reasons have to be accorded for dispensing with the regular departmental proceeding and good reasons have to be assigned for excluding the petitioner from the benefit which is given to other co-employees.

5. This issue also could be raised before the appellate authority.

6. If the petitioner prefers an appeal against the order impugned in the present petition within a period of two weeks, the same shall be heard and disposed of with a reasoned order by the appellate authority within a period of eight weeks thereafter. If the petitioner still remains dissatisfied with the appellate order, he would have the option to approach this Court again.



7. With the aforesaid direction/observation, the writ petition is disposed of.

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	17.07.2019
Transmission Date	NA

