

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21178 of 2018

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Avinash Kumar S/o Akshay Paswan, R/o Village-Khardihan, Post-Chotaki-Chenari, P.S.-Shivsagar, Distt.-Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Home Department, Government of Bihar, Patna.
2. The Director General of Police-cum-I.G. of Police, Bihar, Patna
3. The D.I.G. of Police, Muzaffarpur Range, Muzaffarpur
4. The S.P. of Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ranjit Jha
For the Respondent/s : Mr.Manish Kumar

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 16-08-2019 Heard learned counsel for the petitioner and learned counsel for the State.

In this case, the petitioner is challenging the order of termination, vide Memo no. 2671 dated 15.09.2018 (Annexure 14).

The petitioner has been terminated from service on the ground of forgery committed by him and without holding any enquiry to substantiate the allegation.

The petitioner submits that his case is entirely covered by the judgment and order passed in C.W.J.C. No.18337 of 2016 (Kamlesh Kumar Choudhary vs. The State of Bihar and others). In that case also, the petitioner was dismissed from service on



the ground of forgery committed by him without holding of enquiry, the order of termination has been set aside.

If in the present case, facts, law and prayer are identical, the order of termination will be treated to have been set aside, but without direction of reinstatement, at the same time, this Court also directs, the enquiry should be conducted and completed without any delay, preferably within three months from the date of receipt or production of a copy of this order. Any payment will be made subject to final result of the case.

Accordingly, this petition is disposed of.

(Shivaji Pandey, J)

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