

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22059 of 2019

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Adarsh Kumar Singh S/o Kameshwar Prasad Singh Resident of 17/265,
Laxmi Bhawan, Gangjala, Ward No. 17, near Patson Office, P.s.- Saharsa,
Distt.- Saharsa, presently posted as Sub-Inspector, C.I.S.F. Unit, A.S.G., Patna
Airport, Khoja Imli, Anisabad, P.s.- Phulwari, Distt.- Patna

... .. Petitioner/s

Versus

1. The Union of India through the Secretary, Ministry of Home Affairs, South Block, New Delhi
2. The Director General of Police CISF, Lodi Complex, Directorate HQR, New Delhi
3. The Deputy Inspector General of police (E and NE) APS, Kolkata, East Kolkata Township, Kasba, Kolkata-700107
4. The Commandant CISF Unit, ASG, Patna Airport, Patna
5. The Asst. Commandant CISF Unit, ASG, Patna

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar No. 1
For the Respondent/s	:	Mr.S.D. Sanjay (Adsg)
		Mrs. Pubam Kumari Singh, CGC

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 20-01-2020 Heard learned Counsel for the petitioner and the
Additional Solicitor General for the Union of India.

The petitioner has been awarded punishment of
censure.

Counsel for the petitioner submits that in view of
lapse of time from award of censure till date, the effect of the
same is not in any way prejudicial to the petitioner since it has
outlived its currency. He however submits that in case of
deputation in the Union of India there is likelihood that the same



may be considered. He submits that for deputation in certain services like SPG the censure becomes a relevant consideration, where requirement is of unblemished career. It is his submission that this court should give direction that in view of currency of censure having lost its effect the same should not be considered, if and when he is to be considered for such deputation.

Learned ASG submits that the prayer made in the writ petition is premature. Whether the petitioner will be considered or sent on deputation in such organisation are issues not before this Court. If any rule in any organisation requires consideration of such punishment in ascertaining petitioner's eligibility/suitability then it will be an issue for the petitioner to agitate at the appropriate time.

This Court after considering the stand of the parties is inclined to accept the submissions of learned ASG. The issue whether the petitioner would be prejudiced by award of punishment of censure is an issue which is yet to be considered at the appropriate time having regard to the rules as and when he is sent on deputation. It would be open to the petitioner to agitate the same at the appropriate time. As of now no tangible threat is made out and there is no occasion for this court as of now to exercise writ jurisdiction in favour of the petitioner to



issue any blanket direction that the censure awarded on 20.2.2019 shall not be taken into consideration at any point of time.

With the above observations the writ petition is disposed of. The petitioner would be at liberty to agitate the issue at the appropriate time.

(Madhuresh Prasad, J)

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