IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(S) No.4168 of 2010

Gorelal Singh ..… Petitioner

Versus

1. The State of Jharkhand
2. The Director General of Police, Jharkhand, Ranchi
   Office at Project Bhawan, P.O & P.S.
   Dhurwa, Distt.- Ranchi
3. The Inspector General of Police, J A P, Project
   Bhawan, P.O & P.S.- Dhurwa, Distt.- Ranchi
4. The Deputy Inspector General of Police, J A P, Project
   Bhawan, P.O & P.S.- Dhurwa, Dist00t.- Ranchi
5. The Commandant, J A P-5, P.O. & P.S.- Deoghar,
   Distt. Deoghar ….. Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK ROSHAN

For the Petitioner : Mr. Indrajit Sinha, Advocate
For the Respondents : Mr. Rahul Saboo, SC-I

13/ 16/12/2020 Heard through V.C.

2. The instant application has been preferred by the petitioner praying for quashing the order passed by the Disciplinary Authority in Departmental Proceeding No.23/09 as contained in Memo No.356, dated 08.10.2009, whereby the petitioner was awarded punishment of dismissal from service.

3. At the outset, Mr. Rahul Saboo, learned S.C.-I for the respondent State raised a primary objection with regards to filing of revision under Rule 853 of Jharkhand Police Manual. However, he fairly submits that this ground was not taken in the counter affidavit.

4. In reply to the aforesaid contention of the State, learned counsel for the petitioner seeks liberty to prefer revision at the earliest.

5. In view of the aforesaid facts and circumstances of the case, without going into merits of this case, the instant writ application is hereby disposed of with a direction to the petitioner to file a revision/memorial in view of Rule 853 of Jharkhand Police Manual before the Respondent No.3 within a period of 3 months from today.

If the aforesaid memorial/revision is filed within the aforesaid stipulated period, then the respondent No.3 shall decide it on merit and pass a reasoned order; ignoring the delay, as the matter was pending before this Court and the respondents never raised this ground at any earlier stage or in their counter affidavit.

6. With the aforesaid observation, the instant writ application stands disposed of.

(Deepak Roshan, J.)

Pramanik/