

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1753 of 2019

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Nidhi Kumari D/o Wakil Ray Resident of Villgache-Sarai Muzaffar,P.O.
Parsa,P.S. Dariyapur,Dist.Saran

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors through the Principal Secretary,Home
Department,Govt. of Bihar,Patna
2. The Director General cum Inspector General of Police,Govt. of Bihar,Patna
3. The District Magistrate, Patna
4. The Senior Superintendent of Police, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Siyaram Shahi, Advocate
	:	Mr. Vijay Kumar Singh, Advocate
For the Respondent/s	:	Mr. P.K.Verma, AAG 3
	:	Mr. Suman Kumar Jha, AC to AAG 3

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 06-12-2021

Heard learned counsel for the parties.

In the instant petition, petitioner has prayed for
following relief/reliefs:

“The present writ application is being filed by the petitioner for quashing the Patna District order no. 4553 dt 04.11.2018 (so far petitioner is concern) issued by the office of Senior Superintendent of Police, Patna by which petitioner’s services has been terminated along with other candidates. The petitioner also prays to reinstate her service as she was earlier posted as constable and also pay all benefits treating her in continuous service. The petitioner further prays for any other appropriate relief/reliefs, direction/directions for which she is entitled in the facts and circumstances of the case.”

On 29.11.2021 following order was passed.



“Counsel for the petitioner submitted that he has not exhausted statutory remedy of appeal before the Appellate Authority for the reasons that in identical matter in CWJC No. 23925 of 2018 decided on 03.05.2021 in favour of the petitioners therein.

At this stage, learned counsel for the State is hereby directed to ascertain whether is there any LPA filed against the order passed in CWJC No. 23925 of 2018 or not?”

Today learned State counsel on instruction submitted that State has not preferred LPA against the order dated 03.05.2021 passed in CWJC NO. 23925 of 2018. Thus, the petitioner has made out a *prima facie* case that the present petition is similar to the CWJC NO. 23925 of 2018.

Accordingly, order dated 04.11.2018 stands set aside. The present petition is disposed off in terms of CWJC No. 23925 decided on 03.05.2021.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	08.12.2021
Transmission Date	NA

