

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11724 of 2019

=====

Manoj Kumar Ram Son of Late Grahan Ram resident of Village- Basra, P.S.
Majhauriya, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. D.G. of Police, Bihar, Patna.
3. S.P. Bhojpur.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Ms. Shruti Sinha, Advocate
For the Respondent/s : Mr.Md. N.H. Khan (SC 1)

=====

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

Date : 17-11-2021

Heard learned counsel for the parties.

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

“For issuance of an appropriate writ order or direction for quashing memo no. 4761/RA Ka dated 10.11.2012 issued by S.P. Bhojpur contained in Annexure-2 whereby the petitioner who was a Constable in Bhojpur district Constable No. 115 has been dismissed from service as the same is illegal arbitrary and bad in law and for further direction for quashing the order of the D.G. of Police Bihar, Patna if adverse passed during the pendency of this case in mercy appeal of petitioner and for consequential benefits or for any other order or orders which this Hon’ble Court may deem fit and proper under the circumstances of this case.”



The petitioner was dismissed from service on 10.11.2012 for the allegations stated in the order of dismissal. The petitioner had preferred mercy appeal before the Director General of Police (DGP), Bihar, Patna under Rule 853(a) read with (b) of PM Rule. DGP, Bihar, Patna has not disposed of the petitioner's mercy appeal as on this day. Therefore, DGP, Bihar, Patna is hereby directed to examine in his office in respect of receipt of mercy appeal and to that effect any document is available in his office or not. If document is available in that event petitioner's mercy appeal shall be considered in accordance with law. The above exercise shall be completed within a period of four months from the date of receipt of this order. If mercy appeal is not forthcoming in his office, in such event, petitioner shall be issued endorsement stating that the Office of the DGP, Bihar, Patna is not in receipt of mercy appeal stated to have been filed by the petitioner.

With the aforesaid observations, the petition stands disposed off.

Vikash/-

(P. B. Bajanthri, J)

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	22.11.2021
Transmission Date	N/A

