

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18834 of 2019

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Ranvir Kumar, aged about 29 years, male, Son of Rajendra Prasad, resident of Village - Nayagaon, Godhiyari, P.S.- Parbatta, District- Khagaria.

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The D.I.G. of Police, Purnea Range, Purnea.
4. The S.P. Katihar.

... .. Respondents

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Appearance :

For the Petitioner	:	Mr. Ram Hriday Prasad Ms. Maruti Kumari, Advocates
For the Respondents	:	Mr. Md. Nadim Seraj (GP5) Mr. Dhurendra Kumar, AC to GP 5

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 23-03-2021

Heard learned counsel appearing on behalf of the petitioner and learned counsel appearing on behalf of the State.

This is the second attempt by the petitioner. Earlier the petitioner approached this Court in CWJC No. 20974 of 2014 (*Ranvir Kumar Vs. The State of Bihar & others*) which was allowed vide oral judgment dated 22.02.2019. The Court after going through the entire materials on record came to the conclusion that punishment of dismissal is excessive [“expressive” (sic)]. The matter was remanded back to the respondents for decision afresh on the quantum of punishment. After remand, the authority concerned again inflicted



punishment of dismissal.

In my considered view, the order of punishment of dismissal is excessive. Respondents were required to respect the order passed by this Court in CWJC No. 20974 of 2014 (Ranvir Kumar Vs. The State of Bihar & others), if not modified or set aside by the superior Court.

In the aforesaid circumstances, the Court is constrained to allow the writ application and respondents are directed to reconsider the case of the petitioner on the quantum of punishment as punishment of dismissal is excessive other than punishment may be considered by respondents. In this regard appropriate order of punishment may be passed within a maximum period of four months from the date of receipt/production of a copy of this order.

With the aforesaid, the writ application stands allowed.

(Anil Kumar Upadhyay, J)

BT/-

AFR/NAFR	NAFR
CAV DATE	N.A.
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