

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.528 of 2022

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Ramsharan Yadav Son of Late Bhengri Yadav Resident of Devapur, P.O.-
Harkhua, P.S.- Majhagar, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Home Department,
Government of Bihar, Patna.
2. Principal Secretary, Home Department, Government of Bihar, Patna.
3. Director General of Police, Government of Bihar, Patna.
4. Inspector General of Police, Munger.
5. Deputy Inspector General of Police, Munger.
6. Superintendent of Police, Munger.
7. The Deputy Superintendent of Police, Munger-cum-Conducting Officer.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashish Giri, Advocate
For the Respondent/s : Mr. P.K. Verma (AAG 3)

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

Date : 02-02-2022

This matter is heard *via* video conferencing due to
circumstances prevailing on account of the COVID-19 Pandemic.

In the instant petition, petitioner has prayed for the
following relief(s):-

*“(i) To issue writ/order or
direction in the nature of Certiorari for
quashing the order contained in memo no.
1735 dated 28.12.2020 issued under the
signature of Deputy Inspector General,
Munger Region, Munger, by which
pursuant to the departmental proceeding
the petitioner has been dismissed from his
service with immediate effect. (Annexure-
6A Page46).*



(ii) To issue writ/order or direction in the nature of certiorari for setting aside the memo no. 101 dated 08.01.2021 issued by the Superintendent of Police, Munger by which the petitioner was communicated about the order of dismissal dated 28.12.2020 issued by the Deputy Inspector General, Munger Circle, Munger. (Annexure-6 Page 45).

(iii) To issue writ/order or direction in the nature of mandamus commanding the respondents to restore the service of the petitioner with all consequential benefits.

(iv) To hold and declare that the entire departmental proceeding as initiated against the petitioner including the order of imposition of penalty is not tenable in the eyes of law and liable to quash and accordingly direct the authorities to grant consequential benefits as a result thereof.

(v) To any relief or reliefs for which the petitioner is entitled to be entitled in the facts and circumstances of the case.”

Petitioner has already invoked statutory remedy of appeal before the appellate authority against the order of dismissal dated 28.12.2020.

Therefore, the appellate authority is hereby directed to examine the petitioner's appeal dated 08.04.2021 (Annexure-7) and decide the same within a period of four months from the date of receipt of this order if it has not already decided. If it is decided



a copy of the appellate authority order be communicated to the petitioner/petitioner’s counsel.

With the aforesaid observations, the present writ petition stands disposed off.

(P. B. Bajanthri, J)

Vikash/-

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

