

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6182 of 2021

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Vijay Kumar Singh @ Vijay Singh Son of Late Nageshwar Prasad Singh,
Resident of Ward No. 09, Belo, Police Station- Murliganj, District -
Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director General of Police, Govt. of Bihar, Patna.
2. The Inspector General of Police, Purnea Range, Purnea.
3. The Deputy Inspector General of Police, Darbhanga Division, Darbhanga.
4. The Superintendent of Police, Purnea.
5. The Deputy Superintendent of Police (Traffic), Purnea.
6. The Excise Superintendent, Madhepura.
7. The Inspector of Police (Traffic), Purnea Police Station, Purnea.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Singh
For the Respondent/s : Mr.Lalit Kishore (Ag)

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

Date : 07-02-2022

The matter is heard via video conferencing due to
circumstances prevailing on account of the COVID-19 pandemic.

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

“That, this is an application for issuance of an
appropriate writ in the nature of certiorari for quashing the
Purnea Chhetradesh Sankhya 50/20 dated 11.04.2020 under
Memo No. 431 issued under the signature of Inspector
General of Police, Purnea Range, Purnea which was
communicated to the petitioner by Superintendent of Police,
Purnea vide Memo No. 1340 dated 18.04.2020 by which the
petitioner was dismissed from service and further for a
direction in the nature of mandamus after setting aside the



impugned order petitioner be granted all other consequential benefits for which petitioner is entitled for.”

3. Undisputedly, petitioner has a remedy of appeal.

Learned counsel for the petitioner submitted that impugned order dated 11.04.2020 is passed by the Appellate Authority. Apex Court held that if Appellate Authority imposes any of the penalty, in that event, employee is required to prefer appeal before the next higher authority. In the present case higher authority to the I.G.P. is D.G.P., therefore, the petitioner is at liberty to prefer an appeal before the D.G.P. (Director General of Police) within a period of eight weeks from the date of receipt of this order. If such appeal is preferred, the D.G.P. is hereby directed to examine the petitioner’s appeal and decide the appeal within a period of three months from the date of receipt of such appeal in accordance with law.

4. Accordingly, writ petition is disposed off.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

