

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3080 of 2022

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Dinesh Kumar, Son of Late Bindeshwari Prasad Singh, Resident of Mohalla -
Kumhrar Biscomaun Colony, P.S. - Alamganj, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Director General of Police, Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Inspector General of Police, Tirhut Range, Muzaffarpur.
4. The Inspector General of Police (Excise and Prohibition Wing), Bihar, Patna.
5. The Senior Superintendant of Police, Muzaffarpur.
6. The Enquiry Officer - Cum - Superintendent of Police, Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vinay Ranjan, Advocate
For the Respondent/s : Mr. M. Nasrul Huda Khan (SC 1)

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

Date : 09-03-2022

Heard learned counsel for respective parties.

Learned State counsel accepts notice for respondents.

Learned counsel for the petitioner is hereby directed to
furnish a copy of the petition to learned counsel for the State if it
is not already furnished.

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

*“For issuance of a Writ in
the nature of certiorari to quash the
order as contained in Memo No. 1155
dated 07.10.2021, issued under the
Signature of Inspector General of
Police Tirhut Range, Muzaffarpur and
subsequent Muzaffarpur District Or-*



der No. 1915/ 2021 as contained in Memo No. 5075 dated 13.10.2021 issued under the signature of Senior Superintendent of Police, Muzaffarpur;whereby and whereunder punishment of stoppage of increment for two years for with non cumulative-effect imposed and further for issuance of any other appropriate writ or writs, order or orders it may deem fit and proper by this Hon'ble Court.”

Learned counsel for the petitioner fairly submitted that petitioner's appeal dated 25.11.2021 is pending consideration against the disciplinary authority order.

In the light of the aforesaid submission, the appellate authority is hereby directed to examine the petitioner's appeal in accordance with law and decide the petitioner's appeal within a period of four months from the date of receipt of this order.

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

At this juncture, learned counsel for the petitioner submitted that despite conclusion of the disciplinary proceeding petitioner is continued to be under suspension. The very object of employee under suspension is that he should not tamper the records or evidence and those stages are already done.

In the present case, the inquiry has already concluded, therefore, continuation of suspension is not warranted. The same



shall be taken note of by the suspending authority and undertake to review the suspension order within one month from the date of receipt of this order.

(P. B. Bajanthri, J)

Vikash/-

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

