

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6424 of 2021

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Dhirendra Kumar Tiwari @ Awadh Bihari Tiwari son fo Shri Bhagwan Tiwari, resident of village- Belauthi, P.S.- Shahpur, District- Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary of Home Department, Patna
2. The D.G.P. Bihar, Patna
3. The I.G. Buxar, Bihar Police Force (B.M.P.)
4. The D.I.G. Buxar, Bihar Police Force
5. The Commandant Bihar Military Police-4, Dumrawn, Buxar
6. The Dy. Commandant Bihar Military Police-4, Dumrawn, Buxar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar
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. State counsel accepts notice for respondents.

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

“That the present writ petition is being filed for issuance of order / orders direction / directions to the authority concerned for taking necessary steps against the respondents who have terminated the petitioner from the service only on the ground he was taken into custody on the basis of without license arm was carried by the petitioner in Bolero Jeep, real fact is that the petitioner is not carried the arms some other person was carried and he was in the said Jeep, only on



the basis of suspicion the petitioner has been made an accused and lastly he has terminated on 28.07.2019. In such circumstance your Lordship may pass appropriate order after setting aside the order dt. 28.07.2019 direction may be given to the respondents to reinstate the petitioner.”

4. Petitioner has already invoked remedy of appeal before the concerned Appellate Authority against order of termination dated 28.07.2019 *vide* Annexure 2. The Appellate Authority or higher authority has not acted on the petitioner’s petition against the termination order dated 28.07.2019, therefore, the higher authority to the 5th respondent is hereby directed to pass detailed speaking order and communicate the same to the petitioner within a period of two months from the date of receipt of this order.

5. Accordingly, writ petition stands disposed off.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

