

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7059 of 2021

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Sujeet Kumar Son of Shri Vijay Chaudhary Resident of village-
Phulwarisharif Utari Sangat, Kumar Toli, Phulwari, P.s.- Phulwarisharif,
District- Patna- 801505

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home,
Old Secretariat, Bihar, Patna
2. The District General of Police, Bihar, Old Secretariat, Patna
3. The Inspector General of Police, Tirhut range, Muzaffarpur, Bihar
4. The Deputy Inspector General of Police, Saran Division Saran, Chapra,
Patna
5. The Superintendent of Police, Saran at Chapra, saran
6. The Presenting Officer, Saran District Department of enquiry no. 49/19 Cum
Inspector Masrakh Police Station, District- Chapra

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate
For the Respondent/s : Md. Nadim Seraj, GP 5

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

Date : 13-04-2022

Heard learned counsel for respective parties.

In the instant petition, petitioner has prayed for the
following reliefs:-

*“(i) For issuance of an
appropriate writ, order or direction in the
nature of CERTIORARI thereby quashing
and setting aside the order no. 1375/2019
issued vide memo no. 3123 dated
10.06.2019 by the Superintendent of
Police, Saran Chapra whereby and
whereunder the petition has been
dismissed from service w.e.f. 09.06.2019
pursuant to departmental proceeding
concluded against him in which he has*



been found guilty of all the charges levelled against him.

(ii) For issuance of a writ in the nature of CERTIORARI for quashing and setting aside the order no. 2027/2019 issued vide memo no. 4379/R.K.A. dated 03.08.2019 by the Superintendent of Police, Saran at Chapra whereby the appeal filed by the petitioner before the Deputy Inspector General of Police, Saran Division has been rejected without application of mind. The appellate order has been passed by the Superintendent of Police, Saran and this it is vitiated on this score alone.

(iii) After quashing and setting aside the above mentioned dismissal order, the petitioner may be directed to be reinstated in his service with all consequential relief.

(iv) For issuance of any other appropriate writ/writs, order/orders, direction/directions upon the respondents for which the petitioner would be found entitled to in the present facts and circumstances of the case.”

Petitioner was subjected to disciplinary proceeding and it was concluded in imposition of penalty of dismissal. Petitioner preferred an appeal and it was dismissed, thereafter, he has invoked revision petition. Such revision petition is pending consideration since 12.09.2019 (Annexure-P/9).

Therefore, the revisional authority is hereby directed to decide the petitioner's revision petition which is pending



consideration since 12.09.2019 within a period of four months from the date of receipt of this order after due consideration of each of the issue raised in the Revision Petition, in accordance with law.

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

