

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9799 of 2021

=====

Ram Kishun Dharkar Son of Late Janak Dharkar, Resident of Village -
Baghmara, Post - Bela Rikabganj, P.S. K. Nagar, District - Purnia.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary (Home Police) Govt. of Bihar,
Patna.
2. The District Magistrate cum Collector, Purnia.
3. Deputy Development Commissioner, Purnia.
4. Superintendent of Police, Purnia.
5. Sub-divisional Officer, Sadar, Purnia.
6. Sub-divisional Officer, Baisi, District - Purnia.
7. D.C.L.R., Sadar, Purnia.
8. Anchal Adhikari K. Nagar, District - Purnia.
9. Anchal Adhikari Baisi, District - Purnia.
10. Station House Officer, K. Nagar, District - Purnia.

... .. Respondent/s

=====

Appearance :

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

=====

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT
Date : 18-02-2022

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 petition is being filed for
issuance of an appropriate writ, order or
direction to quash the order issued by the
District Magistrate cum Collector, Purnia
contained in Memo Number 672 dated
16.04.2020 whereby and where under the
learned Collector, Purnia dismissed the



petitioner, a choukidar, Circle No. 6/7 Block K. Nagar, P.S. K. Nagar, District Purnia, from government service on the charge of disturbing public peace in drunken condition, for which a criminal case had been lodged and the petitioner was arrested and sent to jail and further for issuance of an appropriate writ, order or direction commanding the respondents to reinstate the petitioner to the post of choukidar and pay him the arrear as well as current salary and for any other relief or reliefs to which the petitioner is found fit and initiated.”

3. Petitioner has rushed to this Court prematurely without exhausting remedy of appeal before the appellate authority provided under Bihar Government Servants (Classification, Control & Appeal) Rules, 2005.

4. Accordingly, present petition stands disposed off, reserving liberty to the petitioner to prefer appeal before the appellate authority. The appellate authority is hereby directed to examine the appeal on the ground of both delay as well as on merit. If such appeal is filed, the same shall be considered within a period of four months from the date of receipt appeal.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	23.02.2022
Transmission Date	

