

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17898 of 2017

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Arvind Kumar Singh, Son of Raj Grihi Singh Resident of Village- Harpur,
P.O. Harpur, P.S. Rajpur, District- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Officer on Special Duty Vishesh Karya Padadhikari Kendriya Chayan
Parshad Sipahi Bharti, Bihar
3. The Deputy Inspector General Police, Magadh Range Magadh Chhetra
Gaya, District- Gaya.
4. The Inspector General Police, Patna Parchhetra, Patna.
5. The Police Maha Nirikchak Sahayak Welfare Bihar, Patna.
6. The Senior Superintendent Police, Gaya, District Gaya.
7. Lekhapal, Senior Superintendent Office, Gaya, District- Gaya.
8. Diwa Padadhikari , Police Kendra , Gaya, District- Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Dr. Mayanand Jha, Sr. Advocate
		Mr. Aravind Kumar, Advocate
For the Respondent/s	:	Mr. Ajay Kumar, AC to GP-4

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

Date : 20-04-2022

Heard learned counsel for respective parties.

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

*“For quashing of the order of
termination dated 12.11.2015 passed by
the Senior Superintendent, Gaya who il-
legally terminated the petitioner Gaya
without show cause to him and on suspi-
cion, surmise and conjecture that a se-
cret information was received against
the petitioner that he got success in the
examination by dint of "blue tooth albeit
no such witness gave any statement nor
there is any such statement on record or*



any annexure along with the termination letter, the petitioner has never admitted orally or in black and white relating to use of "blue tooth'."

The petitioner without exhausting statutory remedy of appeal before the appellate authority has presented this petition.

Learned counsel for the petitioner submitted that without inquiry the petitioner's services have been dispensed.

Per contra, learned counsel for the respondents resisted the aforesaid contention and submitted that petitioner was under probation. His services can be dispensed without inquiry in terms of Rule 668 of Bihar Police Manual, 1978. It is also submitted that petitioner has admitted the alleged allegations relating to malpractice.

In the light of these disputed facts, the petitioner has to exhaust the remedy of appeal before the appellate authority. Accordingly, the present petition stands disposed off reserving liberty to the petitioner to file an appeal before the appellate authority in the event of filing an appeal within a period of eight weeks from the date of receipt of this order the appellate authority is hereby directed to take note off Section 14 of the Limitation Act for the purpose of condonation of delay in presenting appeal to be submitted. The appellate authority is hereby directed to decide the petitioner's



appeal within a period four months from the date of receipt of ap-
peal.

(P. B. Bajanthri, J)

Vikash/-

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

