

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14071 of 2021

Umesh Chandra Singh S/o Late Raj Narayan Singh Resident of Village-
Dalpat Bishunpur, P.S.-Dhaka, District-East Champaran, At Present Posted as
A.S.I., Kharagpur, P.S.-Munger, District-Munger.

... .. Petitioner/s

Versus

1. The State of Bihar through the Home Secretary, Govt. of Bihar, Patna.
2. The Director General of Police, Bihar, Old Secretariate, Patna.
3. The Inspector General of Police, Munger Range, Munger.
4. The Deputy Inspector General of Police, Munger Range, Munger.
5. The Superintendent of Police, Munger, District-Munger.
6. The Deputy Superintendent of Police, (Headquarter) Munger, District-Munger.
7. The Sub Divisional Police Officer, Kharagpur, Munger.
8. The Officer Incharge, Kharagpur Police-Station, District-Munger.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Singh
For the Respondent/s : Mr. Manish Kumar (Gp4)

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

Date : 27-01-2022

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
following reliefs:-

“(I) For issuance of an appropriate writ in the nature of certiorari for quashing the enquiry report dated 28.02.2021 arising out of Munger District Departmental Enquiry Proceeding No. 62/2019, recommendation letter issued by the respondent no. 5 for dismissal of the petitioner from service and also for quashing the memo No. 824 dated 18.6.2021 issued by the respondent no. 4 by which the petitioner has been dismissed from



service because proceeding initiated behind the back of the petitioner, witnesses have been examined in the absence of the petitioner, even junior to the informant/ preliminary enquiry conducted by the officer i.e. Sub Divisional Police officer, Kharagpur, Munger, (SDPO hereinafter) police inspector has been appointed as enquiry officer, moreover this is the case of no evidence.

(II) For issuance of an appropriate writ in the nature of Mandamus commanding and directing the respondent authorities to reinstate the petitioner in service from 18.6.2021 with all consequential monetary benefit.

(III) For issuance of any other appropriate writ/ writs, order/ orders, direction/ directions for which the writ petitioner shall be found entitled under the facts and circumstances of the case.”

3. The petitioner is not entitled to the aforesaid relief for the reasons that he has already invoked the remedy of appeal before the appellate authority, vide Annexure-10 dated 07.07.2021.

4. Therefore the appellate authority is hereby directed to examine the petitioner’s memorandum of appeal dated 07.07.20201 and decide the same within a period of four months from the date of receipt of this order.

5. With the above observations, the instant petition stands disposed of.

(P. B. Bajanthri, J)

rakhi/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

