

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.934 of 2021

=====

Anil Kumar Son of Late Brahmdeo Prasad Resident of Kendih, P.O. and P.S.-
Khaira, District- Jamui (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Director General of Police, Government of Bihar, Old Secretariat, Patna.
2. The Inspector General of Police, Bhagalpur Zone, Bhagalpur.
3. The Deputy Inspector General of Police, Munger Zone, Munger.
4. The Superintendent of Police, District- Jamui.
5. The Superintendent of Police, District- Jamui.
6. The Deputy Superintendent of Police (Reserve), Police Centre, Jamui.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Sandeep Jha
For the Respondent/s : Mr. Lalit Kishore, AG

=====

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT
Date : 18-04-2022

Heard learned counsel for the parties.

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

*“This writ application is being filed
for issuance of an appropriate writ(s),
order(s) and direction(s) to set aside the
Termination Order dated 01.11.2019
(Annexure-15) issued under the signature of
Respondent No. 5 whereby the service of the
Petitioner from the post of Constable has*



been terminated without adhering to the principles of natural justice and providing opportunities to the petitioner to explain reason for his absence and further for reinstatement of Petitioner on the post of constable with all consequential benefits and for any other relief or reliefs for which the petitioners are entitled in the facts and circumstances of the instant case.”

Paragraph No. 21 and 26 of the pleadings reads as under:

“21. That it is stated that being compelled by the issuance of termination letter, the Petitioner preferred an Appeal against the order of termination before the Respondent No. 3 on 20.12.2019. It is pertinent to mention here that the said appeal is still pending before the Respondent No. 3.

26. That it is further submitted that the Petitioner has been dismissed from service without providing an opportunity to explain



his case. It is further submitted that the said termination order is stigmatic and as such the rules of principles of natural justice ought to have been followed.”

The aforesaid paragraphs are contrary to each other, therefore, the present petition stands dismissed with a cost of Rs.3,000/- (Rupees Three Thousand). Cost shall be remitted in the Patna High Court Legal Services Committee, Patna, within a period of four weeks from today. However, in the interest of litigant, the pending appeal before the appellate authority be decided by the appellate authority within a period of three months from the date of receipt of this order.

(P. B. Bajanthri, J)

Ankit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	19.04.2022
Transmission Date	NA

