

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15958 of 2021

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Kumari Sonika D/o Yogendra K Umar, R/o Village and Post-Herudiyara, P.S.-
Kasim Bazar, District-Munger, Bihar - 811201.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Home Department,
Government of Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Inspector General of Police, Patna Range, Patna.
4. The Senior Superintendent of Police, Patna.
5. The Superintendent of Police, West Patna.
6. The Inspector cum Officer in Charge, Buddha Colony Police Station.
7. The Deputy Superintendent of Police Training, Navin Police Kendra, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Apurv Harsh
For the Respondent/s : Md. N.H. Khan (SC 1)

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

Date : 14-02-2022

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:

“a. For issuance of a writ in the nature of
mandamus or order or direction for payment of full back
wages to the petitioner for the illegal period of dismissal;

b. For issuance of a writ in the nature of certiorari
or order or direction for quashing Office Order No. 3005/2021
dated 09.07.2021 contained in Memo No. 8218/ Ra Ka, issued
by Senior Superintendent of Police, Patna; whereby the
petitioner has been suspended without show cause or initiating
departmental enquiry as even earlier the petitioner in the same
case had been dismissed for almost two years.

c. For issuance of a writ in the nature of
mandamus or direction to the respondents to grant



consequential seniority and other service benefits, as a result of quashing of the dismissal order dated 04.11.2018.

d. For any other relief or relief/s to which the petitioner is found entitled in the facts and circumstances of the case.”

3. Petitioner has been placed under suspension on 09.07.2021 without exhausting statutory remedy of appeal.

4. Learned counsel for the petitioner submitted that petitioner was subjected to suspension, enquiry and it has attained finality in imposition of penalty and dismissal, thereafter, the punishment was stated to have been set aside. In the result once again the petitioner has been placed under suspension on 09.07.2021.

5. In the light of above facts and circumstances, the petitioner has a statutory remedy of appeal before the Appellate Authority, therefore, in the event of filing appeal before the Appellate Authority against suspension order dated 09.07.2021, the Appellate Authority shall decide petitioner’s appeal to be filed within a period of three months from the date of receipt of such appeal.

6. With the above observations, writ petition stands disposed off.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

