

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18899 of 2021

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Surinder Prasad son of Late Rajindra Prasad resident of V- 3S, Nyay Khand, Indrapuram, P.S.- Indrapuram, Distt.- Gaziabad (UP) presently residing at Officers Mess, Central Reserve Police Force (CRPF) Head Quarter, Digha Complex, P.O.- Ashiyana Nagar, P.S.- Rajiv Nagar, Town and District- Patna
... .. Petitioner/s

Versus

1. The Union of India through the Secretary, Ministry of Home Affairs, New Delhi- 110001
2. The Director General of Police, Central Reserve Police Force, Block No. 1, CGO Complex, Lodhi Road, New Delhi- 110001
3. The Inspector General of Police (Works), Directorate General, Central Reserve Police Force, Ministry of Home Affairs/GOI (Works Branch), East Block- 07, Level- 3, Sectore-1, R.K. Puram, New Delhi- 110066
... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Satyendra Rai
For the Respondent/s : Dr. Krishna Nandan Singh (Asg)

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

Date : 10-02-2022

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 quashing the memorandum of charge no. C.IV 01/2021-Vig 8 dated 03.08.2021 issued under the signature of DIG (CR & Vig), CRPF whereby it has been proposed to hold inquiry against the petitioner under Rule 14 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965 with respect to the alleged imputation of misconduct and misbehaviour as stated in the article of charges appended to the said memo and for quashing of the entire departmental proceeding relating thereto in view of the facts and circumstances stated in this writ petition.



- b. For direction to the Respondents to produce the preliminary enquiry report of the Internal Complaints Committee constituted vide order no. C.IV-01/2021-Vig 8 issued by the Office of Directorate General, CRPF and to quash the same as well as the entire proceeding conducted by the said Internal Complaints Committee in the facts and circumstances of the case.
- c. For any other relief(s) for which the Petitioner is entitled.”

3. Writ petition cannot be entertained insofar as challenge to the charge memo and enquiry report as held by the Apex Court in the case of *Union of India and Another Vs. Kunisetty Satyanarayana* reported in (2006) 12 SCC 28 .

4. The present petition stands dismissed, reserving liberty to the petitioner to approach the Disciplinary Authority raising all the contentions stated in the present petition. The Disciplinary Authority is hereby directed to examine petitioner’s reply to the second show cause notice along with Enquiring Officer’s report. Disciplinary Authority is hereby directed to examine each of the contention before passing final order in the disciplinary proceedings. The disciplinary proceedings shall be completed within a period of four months.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

