

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17321 of 2019

=====

Brajesh Kumar, Son of Late Awadhesh Prasad Singh, resident of Village Nawada, Jaitpur, P.S.- Suraiya, O.P Jaitpur, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Director General of Police. Patna, Bihar
3. The Inspector General Of Police, Muzaffarpur, Region Muzaffarpur.
4. The Deputy Inspector General Champaran Region Bettiah West Champaran.
5. The Superintendent of Police Bagaha, West Champaran.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Mahasweta Chatterjee, Advocate
For the Respondent/s : Mr. Suman Kumar Jha, AC to AAG3

=====

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

Date : 21-04-2022

Heard learned counsel for respective parties.

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

“(i) For quashing the order vide memo no. 1460 dated 06.08.2018, as contained in Annexure-8 whereby and whereunder the Superintendent of Police the Respondent No. 5 has dismissed the petitioner from service in a departmental proceeding and also held that the petitioner is not entitled to any benefit excepting the subsistence allowance during the period of suspension.

(ii) For quashing the order passed by the Respondent no. 4 the Deputy Inspector General Champaran Region Bettiah as contained in Annexure-9 whereby and whereunder the Respondent No. 4 has



dismissed the appeal filed by the petitioner.

(iii) For commanding upon the respondent no. 5, the Superintendent of Police to pay the petitioner remaining amount of full salary and other benefits for the period the petitioner was under suspension.

(iv) Any other relief/reliefs may be granted for which the petitioner is found entitled to.”

During the pendency of the present petition the grievance of the petitioner has been rejected by the higher authority and petitioner intends to challenge the same by means of Interlocutory Application. Instead of entertaining Interlocutory Application it is better to file a fresh petition. Accordingly, the present petition stands disposed off including pending I.A. reserving liberty to the petitioner to file a fresh petition in challenge the orders from the date of dismissal till rejection of memorial.

At this stage, it is noticed that petitioner died during the pendency of the present petition. Therefore, the legal heirs of the petitioner are permitted to file fresh petition in accordance with law.

(P. B. Bajanthri, J)

Vikash/-

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

