

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24697 of 2018

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Kamta Prasad S/o Parmeshari Charan R/o village- Sheer Bhuka, P.S-
Hariharganj, Dist- Palamu (Jharkhand).

... .. Petitioner

Versus

1. The State of Bihar through the Home Secretary, Govt. of Bihar, Patna.
2. The Director General of Police (Administration), Bihar,
3. The Inspector General of Police, Magadh Range, Gaya.
4. The Deputy Inspector General of Police, Magadh Range, Gaya.
5. The Superintendent of police, Aurangabad.
6. The Sub Divisional Police Officer, Daudnagar, Aurangabad.
7. The Inquiry Officer cum Inspector of Police, Daudnagar Anchal,
Aurangabad

... .. Respondents

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Appearance :

For the Petitioner : Ms. Alka Verma, Adv.

For the State : Mr. Prabhat Kumar Verma -AAG3, Sr. Adv.

Mr. Sanjay Kumar Ghosarvey, AC to AAG-3

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

15 06-12-2022 Heard learned counsel for the petitioner and learned
senior counsel for the State.

2. After hearing the matter at length, it is submitted by the
learned Additional Advocate General (for brevity 'AAG') that
the petitioner's issue has finally culminated into the order dated
25.06.2018 passed in CWJC No. 1663 of 2015 (Kamta Prasad



vs. The State of Bihar and others), as contained in Annexure-9 to the writ petition, which reads as follows:-

“3 In view of this limited submission made by the learned counsel for the petitioner, this Court would only notice that the scope of the writ jurisdiction in deciding the issue of quantum of punishment is very limited. Even otherwise, the representation filed by the petitioner on 07.03.2005 before the Director General of Police (for brevity, DGP), as per stand of the respondents in paragraph 21 of the counter affidavit, is still pending for consideration of the authority. The stand taken by the respondents regarding pendency of the representation filed in the year, 2005 till date is very shocking.

4 However, since the matter is still pending, this Court would only direct that while taking a final decision on the representation dated 07.03.2005 filed by the petitioner, Respondent No 2, the DGP may take into consideration the submission of the learned counsel for the petitioner in respect of the quantum of punishment which has been noticed hereinabove.”

3. He, however, is not in a position to show from the records that there is any order after 25.06.2018, dealing with the petitioner's grievance with respect to the quantum of punishment, which the petitioner has also reiterated by his representation (Annexure-10) to the writ petition.

4. It is submitted by the learned AAG that final order would be passed by the Director General of Police within a



period of four weeks, if the matter has not already been disposed of by any order after 25.06.2018.

5. Recording such undertaking, the writ application stands disposed of.

(Madhuresh Prasad, J)

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