

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8191 of 2021

Binod Kumar Malakar S/o Sri Ved Prakash Malakar, R/o Village -
Mungaraura, P.O. - Jamalpur, P.s. - East Colony, District- Munger.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Director General-cum-Inspector General of Police, Govt. of Bihar, Patna.
3. The I.G. B.M.P. Bihar, Patna.
4. The D.I.G. B.M.P. Uttari Mandal, Muzaffarpur.
5. The Commandant, B.M.P. - 9, Jamalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Brij Mohan Kumar, Advocate
For the State : Mr.Ajay Kumar AC to G.P4

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 06-07-2023 1. Heard learned counsel for the petitioner and
learned counsel for the State.

2. The petitioner has filed this writ petition assailing
the legality and validity of the disciplinary proceedings based on
charge memo dated 08.08.2000. The petitioner has also sought
for quashing of the order of punishment of dismissal.

3. The records reveal that the order of punishment of
dismissal is dated 08.06.2002. The appeal against the order of
dismissal was rejected by the D.I.G. of Police, B.M.P. North
Zone, Muzaffarpur on 30.09.2002. Memorial was also dismissed
by the Director General of Police, Bihar vide order dated



30.10.2004.

4. Petitioner thereafter filed *C.W.J.C. No. 8238 of 2005* which was dismissed on 27.04.2009. The Letters Patent Appeal preferred against the order passed in the writ proceedings was also dismissed vide order dated 17.12.2018. The petitioner thereafter preferred a review of the division bench order. *Civil Review No. 113 of 2019* was also rejected. The petitioner thereafter has approached the Supreme Court Legal Aid Committee for preferring a S.L.P. The petitioner's claim for preferring a S.L.P. was declined by the competent authority in the Supreme Court Legal Services Committee under its communication dated 12.02.2020 (Annexure-5 to the writ petition).

5. In the above noted facts and circumstances, the instant writ petition again seeking to assail the same punishment order, after its validity was decided up to the division bench of this court, appears to be thoroughly misconceived, to say the least.

6. Writ petition is dismissed.

(Madhuresh Prasad, J)

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