

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5861 of 2022

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Brahmdeo Das Son of Late Dhodhai Das, Resident of Village-Bhagwanpur
Desua, P.s.-Ujiyarpur, District-Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secreary, Home Department, Government of Bihar, Patna.
2. The Principal Secrerary, Home Department, Government of Bihar, Patna.
3. Director General of Police, Government of Bihar, Patna.
4. Inspector General of Police, Mithila Range, Darbhanga.
5. Deputy Inspector General of Police, (Personnel), Bihar, Patna.
6. Disciplinary Authority Cum Superintendent of Police, Samastipur.
7. The Secreary, Lokayukt, Bihar, Patna.
8. Inquiry Officer Cum Sub-Divisional Police Officer, Rosera, Samastipur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar Sinha
For the Respondent/s : Mr.Manish Kumar (Gp4)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-11-2023 The present writ petition has been filed seeking the following reliefs:-

“1(a). For issuance of writ in the nature of certiorari or any other appropriate writ quashing the order dated 19.03.2021 of Lokayukta, Bihar, Patna whereby directing the concerned authorities to take disciplinary actions and to apprise of Lokayukta authority of the disciplinary actions taken against the petitioner.

(b) For issuance of appropriate writ quashing the office order no.25 of 2021 dated 27.08.2021 passed by Inspector General of Police, Mithila



Range, Darbhanga whereby permitting to initiate departmental enquiry proceedings under rule Pension Rules, 1950. 43 (b) of Bihar Pension Rules, 1950.

(c) For issuance of any other appropriate writ quashing the charge Memo (Prapatra Ka) dated 21.12.2021 issued by disciplinary authority cum Superintendent of Police Samastipur for initiating departmental inquiry proceedings no.47 of 2021 against the petitioner.”

2. At the outset, the learned counsel for the petitioner has submitted that the impugned order dated 19.3.2021, passed by the Lokayukta, Bihar Patna, has already been quashed in one another writ petition bearing CWJC No. 17563 of 2021 (Naresh Paswan vs. The State of Bihar & Ors.), by a coordinate Bench of this Court, vide judgment dated 1.9.2022, hence, it would be in the fitness of things and in the interest of justice that the impugned order qua the petitioner herein is also quashed.

3. This Court finds from a bare perusal of the aforesaid judgment dated 1.9.2022, passed in the case of Naresh Paswan (supra) that the order dated 19.3.2021 passed by the Lokayukta, Bihar, Patna, has already been quashed in its entirety, hence, is not required to be quashed again qua the petitioner herein. Consequently, it is declared that any subsequent order passed



pursuant to passing of the aforesaid order dated 19.3.2021 by the Lokayukta, Bihar, Patna, pertaining to the subject matter in issue shall stand null and void.

4. The present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

Ajay/-

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