

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19361 of 2014

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Meenu Gupta Wife of Late Rameshwar Prasad Gupta Resident of Ward No. 47, Housing Board, HIG No. 67, Laheria Sarai, P.S.- Bahadurpur, District-Darbhangha.

... .. Petitioner/s

Versus

1. The State of Bihar through Director General of Police, Government of Bihar, Patna.
2. The Additional Director General of Police, Government of Bihar, Patna.
3. The Deputy Inspector General of Police Administration, Bihar, Patna.
4. The Inspector General of Police, Darbhanga Zone, Darbhanga.
5. The Deputy Inspector General of Police, Darbhanga Zone, Darbhanga.
6. The Superintendent of Police, Madhubani.
7. The Sub Divisional Police Officer, Sadar, Madhubani-cum-Conducting Officer.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha, Advocate
For the Respondent/s : Mr.Kinkar Kumar, SC-27

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 31-08-2023 1. The present writ petition has been filed seeking the following relief:-

“1. That this is an application for issuance of an appropriate writ in the nature of Certiorari for quashing of order as contained in Memo No.3038 dated 24.12.2011 (Annexure-'7') issued by the Superintendent of Police, Madhubani whereby the Departmental proceeding has been



initiated against the petitioner under the provision of 840 (Ga) of Police Manual after framing charges on the allegation of taking bribe after more than 13 years of date of occurrence and after two years of retirement which is violation of Rule 43(b) of the Bihar Pension Rules and for issuance of writ in the nature of Mandamus directing the Respondents to give all consequential benefits to the petitioner and any other appropriate writ for which the petitioner is entitled.”

2. At the outset, the learned counsel for the parties jointly submit that since the original petitioner has already died during the interregnum period, the departmental proceeding in question has stood abated.

3. Having regard to the aforesaid stand taken by the learned counsels for the petitioner and the respondents, I deem it fit and proper to dispose off the present writ petition with an observation that since the original petitioner



(employee of the respondent) has died, he cannot be now proceeded against by way of a departmental proceeding.

4. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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