

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10032 of 2015

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Mukhtar Ram S/o Late Lalji Ram, resident of Village- Pawni, P.S.- Buxar M,
District- Buxar. At present posted as Jail Warden, Nawada Jail, Nawada.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Home Department Jail and Reforms Service, Bihar, Patna.
3. The Inspector General of Police, Jail and Reforms Service, Bihar, Patna.
4. The Superintendent of Police, Nawada.
5. The Jail Superintendent, Nawada Jail, Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ashwini Kumar Rai, Advocate
For the Respondent/s : Mr.Ram Balak Mahto, Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL JUDGMENT

Date : 18-08-2023

1. The present petition has been filed seeking the following relief :-

“(i) For issuance of an appropriate writ, order for quashing the order dated 15.07.2014, passed by respondent no. 3 i.e. the Inspector General of Police, Jail (as contained in Annexure-6), whereby two increments from the salary of the petitioner was deducted which is a major punishment and further be pleased to quash the order dated 20.05.2012, passed by respondent no. 2 whereby he was pleased to uphold the order passed by respondent no. 3 in most mechanical manner without his judicial



mind. “

2. At the outset, the learned counsel for the petitioner submits that the case of similarly situated Warden namely Chandeshwar Singh has been allowed by the Ld. Division Bench of this Court vide Judgment ***dated 04.04.2018***, passed in ***L.P.A. no. 2240 of 2015 (Chandeshwar Singh v. The State of Bihar and ors.)*** and the order of punishment dated 15.07.2014 as also the appellate order dated 25.05.2015 have been set aside. Thus, the learned counsel for the petitioner submits that on same and similar grounds, the present writ petition be also allowed.

3. Having regard to the facts and circumstances of the case, I deem it fit and proper to grant liberty to the petitioner to file a review petition before the respondent no. 3, i.e. the Inspector General of Police, Jail and Reforms Service, Bihar, Patna, who has passed the punishment order dated 15.07.2014 and in case, such a petition is filed within a period of four weeks from today, the respondent no. 3 shall consider reviewing the order of punishment dated 15.07.2014, which has been quashed, taking into account the fact that similar order has been quashed by the Ld. Division Bench of this Court by a Judgment ***dated 04.04.2012***, passed in the case of ***Chandeshwar Singh (supra)*** and pass a reasoned and a speaking order, within a period of six



weeks, thereafter.

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

(Mohit Kumar Shah, J)

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AFR/NAFR	NAFR
CAV DATE	NA
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Transmission Date	NA

