

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7233 of 2023

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Mindra Kumar Son of Ramanand Prasad Resident of Village- Shahpur, P.O.-
Malikpur, P.S.- Malikpur, District-Nalanda-803117.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Home Department, Govt. of Bihar, Patna.
2. The Director General of Police, Prision and Reforms Service, Government of Bihar, Patna.
3. The Inspector General, Prision and Reforms Services, Govt. of Bihar, Patna.
4. The Superintendent, Mandal Jail, Nawadah.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Mukund Mohan Jha, Advocate
For the Respondent/s : Mr.Md. Nadim Seraj (Gp 5)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-11-2023 1. The present writ petition has been filed seeking the
following relief(s):-

*“1(i) To issue the appropriate writ in the nature
of mandamus directing to the Additional
Appellate Chief Secretary Cum Authority,
Home Department, Govt. of Bihar, Patna to
take the final decision of the appeal filed on
12.01.2022 by the petitioner.*

*(ii) To quash the order vide memo no. 9463
dated 16.11.2021 issued by the Inspector
General Prision and Reforms services, Govt. of
Bihar, Patna whereby and whereunder
petitioner has awarded punishment with (i)
payment/salary will be fix on the lower pay
scale (ii) Withholding of five increment of pay*



with non-cumulative effect.

(iii) To quash the charge which was fixed against him on 24.07.2019 by the Superintendent, Nawadah. Mandal Jail, Nawadah.

(iv) For issuance of an appropriate writ/writs, direction/directions in the nature of mandamus to pay entire salary of suspension period.”

2. At the outset, the learned counsel for the respondent-State submits that the appeal, filed by the petitioner has already been rejected vide order dated 05.09.2022, as communicated to the petitioner vide letter dated 16.09.2022, hence the present writ petition has been rendered infructuous.

3. The learned counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the aforesaid order dated 05.09.2022, by filing a fresh writ petition. Liberty so sought is granted.

4. The present writ petition stands disposed off.

(Mohit Kumar Shah, J)

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