

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9534 of 2022

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Raj Kishore Yadav Son of Late Wquil Prasad Yadav, Resident of Village-
Narayanpur, P.S.- Bhawanipur, District- Bhagalpur.

... .. Petitioner

Versus

1. The State of Bihar through the Director General of Police, Bihar, Patna.
2. The Additional Director General of Police, (Head Quarter) Bihar, Patna.
3. The Inspector General of Police, Kendriya Kshetra, Patna.
4. The Senior Superintendent of Police, Patna.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Indu Bhushan, Advocate

For the Respondent/s : Mr.Dhurendra Kr. Jha, AC to GP-5

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 27-04-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, in the present case, has prayed for issuance of an appropriate writ in the nature of certiorari/mandamus commanding the responsible respondents for quashing the impugned order of suspension dated 28.05.2021 issued vide Memo No. 8218 dated 09.07.2021 (contained in Annexure-2) issued by under the signature of Senior Superintendent of Police, Patna and also for quashing the appellate order which was filed against the order of suspension on 06.06.2022 which has been rejected vide Kendriya Kshetradesh No. 174 of 2022 dated 08.06.2022 (contained in Annexure-4) by the Inspector General of Police, Central Range, Patna.



Learned counsel for the petitioner submits that the petitioner has made a representation before the Inspector General of Police, Central Range, Patna (Respondent no. 3) vide Annexure '3' to the writ application wherein he has requested the competent authority to revoke the suspension.

Learned counsel submits that the petitioner was earlier dismissed from service but his order of dismissal was set-aside and the matter was remitted to the disciplinary authority whereafter the disciplinary proceeding is still pending.

Learned counsel for the State submits that in such circumstance an appropriate direction may be issued to respondent no.3.

Having regard to the facts and circumstances of the case and the materials available on the record, this Court directs the respondent no. 3 to consider the representation of the petitioner as contained in Annexure '3' to the writ application within a period of two months from today and pass a reasoned order thereon.

So far as the departmental proceeding pending against the petitioner is concerned, this Court finds from Annexure '4' that the appellate authority has vide its order dated 08.06.2022 issued directions to the disciplinary authority to complete the



disciplinary proceeding as early as possible. About a year is going to elapse thereafter. This Court, therefore, directs the disciplinary authority to conclude the disciplinary proceeding within a period of six months from the date of receipt/production of a copy of this order.

Liberty is granted to the petitioner to place before the respondent no. 3 and the disciplinary authority his other submissions including the order of this Court passed in CWJC No. 13987/2021 (Gauri Rani Vs. The State of Bihar & Ors.) which is said to have been passed in respect of some other similarly situated persons. The authorities shall consider the same while passing an appropriate order in case of the petitioner.

This Writ Application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J.)

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