

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9070 of 2023

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Dharmendra Kumar Son of Sri Subodh Paswan, Resident of Village and P.O. Baha Chawki, P.S. Dharhara, District Munger. (Dismissed Constable, Bihar Military Police 13).

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Home (police) Department, Government of Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The D.I.G., B.M.P. (BSAP), Northern Range, Muzaffarpur.
4. The Commandant B.M.P. (BSAP) 13, Darbhanga.
5. The Central Selection Board, (Constable), Bihar, Patna through its Chairman.
6. The O.S.D., Central Selection Board (Constable), Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Mayanand Jha, Sr. Advocate Mr. Gaurav Prakash, Advocate Mrs. Diksha Kumari, Advocate
For the State	:	Mr. Sheo Shankar Prasad (SC-8)
For the CSBC	:	Mr. Sanjay Pandey, Advocate Mr. Vivek Anand Amritesh, Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 28-11-2023 The present writ petition has been filed
seeking the following relief:-

*“1. That this is an application for
issuance of an appropriate
writ/order/direction for setting aside
the order contained in Memo No.
139 dt.31.3.2018 passed by the
Commandant, Bihar Military Police
(now known as Bihar Special Armed
Police) 13, Darbahnga, whereby the*



petitioner has been dismissed from the post of Constable in breach of statutory provisions, on mere suspicion and further to direct the respondents to reinstate the petitioner with consequential benefits as no order has been passed on appeal preferred by him against his dismissal from service despite lapse of long time."

2. At the outset, the learned senior counsel for the petitioner submits, by referring to paragraph no. 32 of the writ petition, that the petitioner has filed a statutory appeal against the order of dismissal from service dated 31.03.2018 before the appellate authority i.e. the D.I.G. BMP (Northern Range), Muzaffarpur dated 15.04.2018 but till date the same has not been disposed off, hence it is prayed that the appellate authority be directed to dispose off the same expeditiously.

3. Having regard to the limited prayer made by the petitioner in the present writ petition, I deem it fit and proper to direct the appellate authority, as aforesaid, to consider the appeal filed



by the petitioner, in accordance with law, and dispose off the same, in case the same has not already stood disposed off, by passing a reasoned and a speaking order, within a period of six weeks of receipt/production of a copy of this order.

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

(Mohit Kumar Shah, J)

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