

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.79 of 2022

Rashmi Rekha Daughter of Late Raj Nath Prasad Choudhary Resident of
Village- Bari Yusufpur, P.O. and P.S.- Industrial Area, Hajipur, District-
Vaishali, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Chief Secretary, Government of Bihar,
Patna.
2. Principal Secretary Department of Home, Government of Bihar, Patna.
3. Director General of Police Government of Bihar, Sardar Patel Bhawan,
Patna.
4. Director General of Police (Training) Government of Bihar, Sardar Patel
Bhawan, Patna.
5. Additional Director General of Police (Special Branch) Government of
Bihar, Sardar Patel Bhawan, Patna.
6. Inspector General of Police (Training) Government of Bihar, Sardar Patel
Bhawan, Patna.
7. Deputy Inspector General of Police (DIG), Special Branch Government of
Bihar, Sardar Patel Bhawan, Patna.
8. Superintendent of Police (A), Special Branch Government of Bihar, Sardar
Patel Bhawan, Patna.
9. Mithilesh Kumar Choudhary Deputy Superintendent of Police, Special
Branch, Sardar Patel Bhawan, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Rajendra Narayan, Sr. Adv. with Ms. Anju Kumari @ Anju Narain, Adv.
For the State	:	Mr. Sheo Shankar Prasad (SC8) Mr. Sanjay Kumar AC to SC-8



CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

5 05-10-2023 Heard learned senior counsel for the petitioner and
learned counsel for the State.

2. The petitioner has filed the writ application for quashing the charge memo as also the proceedings and the findings as a result of charge memo dated 18-07-2019 under the signature of the Superintendent of Police (A), Special Branch, Government of Bihar, Sardar Patel Bhawan, Patna (Respondent No.8).

3. The issue which was raised in the earlier order regarding the charge memo not being by a competent authority has been responded to by the affidavit filed by the Director General of Police, Government of Bihar, Sardar Patel Bhawan, Patna (Respondent No.3). In paragraph No.13 of the counter affidavit, he has clearly stated that decision to initiate the departmental inquiry was taken with the approval of the Deputy Inspector General of Police as also the Additional Director General of Police (Special Branch) Bihar, Patna. The further stand is that against the order passed in appeal, the petitioner has the remedy of memorial.

4. Since the remedy of memorial is available to the petitioner, the application is disposed of with liberty to the



petitioner to avail the remedy of memorial.

5. If the petitioner files her memorial within four weeks, it is needless to say that the authority would be obliged to consider the same in accordance with law within a period of eight weeks thereafter.

(Madhuresh Prasad, J)

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