

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.457 of 2020

Subodh Kumar Singh S/o Late Bindeshwar Prasad Singh Resident of Village-
Chandpura, P.S.- Sahpur Patori, Dist- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar.
2. The Inspector General of Police cum Director General of Police, State of Bihar, Sardar Patel Bhawan, Bailey Road, Patna.
3. The Assistant Inspector General of Police (Welfare), State of Bihar, Sardar Patel Bhawan, Bailey Road, Patna.
4. The Deputy Inspector General of Police, Patna.
5. The Senior Superintendent of Police, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Ashok Kumar Choudhary
For the Respondent/s	:	Mr. Md. Nasrul Huda Khan SC-01 Md. Harun Quareshi, AC to SC-01

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 12-10-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ petition has seeks filed to set aside the District Order No. 1569/2019 as contained in Memo No. 5943 dated 04.05.2019 issued by the Superintendent of Police, Patna by which a departmental enquiry bearing no. 77/2014 under rule 828(C) of the Bihar Police Manual has been disposed of against the petitioner who was a constable with punishment to stop increment of six months equivalent to one black mark and further salary of 160 days of the petitioner for the period of 04.09.2013 to 11.02.2014 has been filed.



3. Counsel for the State has raised preliminary objection and submits that order contains punishment covering black mark and treated to be the punishment in such a nature which is appealable before the Deputy Inspector General of Police under Rule 851(B) of Bihar Police Manual.

4. In this background, that the order passed by the Superintendent of Police against the petitioner is appealable in nature. This Court disposes of this writ petition directing the petitioner to prefer appeal according to Rule 851(B) of Bihar Police Manual.

5. It is directed that if there is any delay in filing appeal, the appellate authority shall condone such delay and pass order considering all the points mentioned in the writ petition within three months after granting opportunity of hearing to the petitioner in person or through his counsel from the date of production of the order.

6. With this direction, writ petition is disposed of.

(Dr. Anshuman, J)

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