

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.10829 of 2013**

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Ravindra Prasad Singh Son Of Late Agin Singh Permanent Resident Of  
Village Kurkuri, P.O. and P.S.- Phulwarisharif, District- Patna

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Home Police Department, Government Of Bihar,  
Patna
3. The Director General Of Police, Bihar, Patna
4. The Additional Director General, Crime Investigation Department, Bihar,  
Patna
5. The Deputy Inspector General Of Police Crime, Crime Investigation  
Department, Bihar, Patna
6. The Superintendent Of Police Crime Investigation Department, Bihar, Patna
7. The Director, Forensic Science Laboratory, Bihar, Patna
8. The Director, Regional Forensic Science Laboratory, Bela, Muzaffarpur

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Gyanand Roy, Advocate

For the Respondent/s : Mr. Shadwal Harsh, (AC to GP-2)

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**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL JUDGMENT**

**Date : 16-07-2024**

Heard Mr. Gyanand Roy, learned counsel appearing  
  
on behalf of the petitioner and Mr. Shadwal Harsh, learned AC  
  
to GP-2 for the State.

2. Learned counsel appearing on behalf of the  
  
petitioner submits that similar charge memo, relating to the  
  
petitioner for having allegedly disobeyed the order of transfer  
  
contained in Memo No.490 dated 08.06.2009 (Annexure-5), has  
  
been inflicted with penalty upon two other employees, holding  
  
different posts of Class-III and Class-IV under Crime  
  
Investigation Department.

3. It is informed by learned counsel appearing on behalf of the petitioner that individual penalty orders were passed, against which, the two delinquent employees, along with the petitioner, had preferred separate appeal before the Appellate Authority. This Court, vide orders dated 29.09.2022 passed in C.W.J.C No. 10517 of 2013 and C.W.J.C No. 10466 of 2013 in respect of the said two delinquent employees, namely, Vijay Kumar and Pramod Ranjan Mishra respectively, had directed the Appellate Authority to pass a detailed and speaking order, after due consideration of each of the contentions, raised by the respective petitioners, in their memorandum of appeal and place it on record before the next date of hearing. Nearly one month's time was granted to the respondents for complying with the order of the Coordinate Bench. The counsel appearing on behalf of the petitioner has now informed that the Appellate Authority has set-aside the order of the penalty, passed by the Disciplinary Authority, with respect to the said two delinquent employees.

4. Learned counsel further submits that the petitioner is also faced with the penalty order passed by the Disciplinary Authority, in respect of the similar charges, as has been imposed on the two other delinquent employees and in

whose case, the Appellate Authority has found the charges to be without any substance and has accordingly set-aside and quashed the order of penalty.

5. Learned counsel further submits that for similar charges, as in respect of the said two delinquent employees namely Vijay Kumar and Pramod Ranjan Mishra, the penalty order has been set-aside and quashed, the petitioner also seeks that his case being similar, the penalty order passed by the Disciplinary Authority is required to be interfered with and quashed.

7. Mr. Shadwal Harsh, learned AC to GP-2 submits that the matter may be remanded to the Appellate Authority, where the memorandum of appeal of the petitioner is pending and be directed to pass a similar order, as has been passed in the cases of Vijay Kumar and Pramod Ranjan Mishra in accordance with law.

8. Having considered the rival submissions made on behalf of the parties, as well as, the fact that the illegality, which has been alleged against the petitioner, on the ground of disobeying the transfer order, has been well considered by the Appellate Authority in cases of the two delinquent employees, I direct the Appellate Authority to consider the grievance of the

petitioner and the ground raised by him in the memorandum of appeal and if he finds that the petitioner has been inflicted with similar penalty order, in respect of the two other delinquent employees, which has been set-aside, then in that case, the Disciplinary Authority is directed to pass a reasoned and speaking order within a period of one month, without fail.

9. Accordingly, the present writ petition stands disposed of.

**(Purnendu Singh, J.)**

Ashishsingh/-  
Sudhanshu/-

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| AFR/NAFR          | NAFR       |
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