

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6755 of 2024

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Ram Vivek Kumar Son of Chandra Mauleshwar Singh, Resident of village-
Jaitpur, P.S.- Barahiya, District-Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Home Secretary Government of Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Additional Director General of Police, Appeal Budget and Welfare, Government of Bihar, Patna.
4. The Deputy Inspector General of Police Shahabad Range Dehri-on-Sone Bihar Patna.
5. The Superintendent of Police Bhojpur at Ara.
6. The Sub-Divisional Police Officer Piro, Ara.
7. The Sub-Divisional Police Officer, Sadar, Bhojpur at Ara.
8. The Assistant Sub-Inspector of Police Ara Nawada Police Bhojpur at Ara.
9. The Station House Officer, Chandi, Bhojpur, at Ara.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rama Kant Sharma, Sr. Adv.

Mr. Rajesh Kumar, Adv.

For the Respondent/s : Mr. Madhusudan Rai, AC to SC-23

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL JUDGMENT

Date : 26-04-2024

The brief facts of the case according to the petitioner is that the disciplinary authority had passed the order of punishment of dismissal from service, vide memo dated 5.5.2021, which was challenged by the petitioner by filing an



appeal, which was allowed by the Additional Director General of Police (Budget, Appeal and Welfare), Bihar, Patna, by an order dated 1.11.2021, consequently, the order of punishment dated 5.5.2021 was set aside and the matter was remanded back to the disciplinary authority to hold fresh enquiry as per Rule 17 and 18 of the Bihar Government Servants (Classification, Control and Appeal) Rules, 2005 and dispose off the disciplinary proceedings in question within a fixed time frame.

2. It is the submission of the learned Senior Counsel for the petitioner that till date, the disciplinary authority has not disposed off the pending disciplinary proceeding, thus, the disciplinary authority be directed to dispose off the same, within a fixed time frame.

3. It is further submitted by the learned Senior Counsel for the petitioner that the petitioner is under suspension since 28.1.2020 and on account of the disciplinary proceeding in question having not been concluded till date, grave prejudice has been caused to the petitioner, hence, the order of suspension be directed to be revoked.

4. Per contra, the learned counsel for the Respondents submits that the pending departmental proceeding would definitely be concluded within a stipulated time frame, as is



fixed by this Court.

5. Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the disciplinary authority to conclude the pending departmental proceedings qua the petitioner herein, within a period of three months from today, by passing the final order, in accordance with law, failing which the order of suspension dated 28.1.2020 shall stand revoked automatically.

6. The present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

Ajay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	8.5.2024
Transmission Date	NA

