

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14835 of 2013

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Yugesh Kumar Yadav S/O Shankar Pd. Yadav R/O Maranga Bindtori, P.S-
Marunga, Distt- Purnea.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. Director General Of Police, Bihar, Patna.
3. Inspector General Bihar Military Police, Patna.
4. Commandant, Bihar Military Police- 8, Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s : None
For the Respondent/s : Mr. Arvind Kumar, AC to GA- 9

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CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL JUDGMENT

Date : 24-10-2024

None appears on behalf of the petitioner, however,
heard learned counsel for the State.

2. This writ petition has been filed seeking a direction to the respondents for disposal of the appeal pending in accordance with the procedure established under Bihar Police Manual and Indian Lunacy Act.

3. The pleaded case of the petitioner in the writ petition is that the petitioner was appointed as Constable of Bihar Military Police in the year 1984 and joined BMP- 8, Begusarai on 23.01.1984. The petitioner was on leave for twenty days and had come to his house on 10.12.1986 to



sort out some domestic issues. Then, there was dispute with the wife of the petitioner and other members of the family and the petitioner got mentally disturbed, and assaulted his wife and father because of which Khanjanchi Hat P.S. Case No. 359 of 1986 was registered against him and he was remanded to judicial custody as well.

4. Under such mental state of the petitioner, the petitioner filed resignation letter to the Commandant, Bihar Military Police- 8, Begusarai through registered post. Thereafter, the Inquiry Officer conducted an inquiry on his resignation letter, and the same was accepted as he was found unfit for the post of Constable and accordingly, he was removed from the service by the Order No.74 of 1987 issued vide Memo No. 347 dated 31.01.1987.

5. It is stated that the petitioner as well as his wife filed several representation before the Commandant and the Commandant referred the matter to Inspector General, Bihar Military Police, Patna vide letter No. 1702 dated 19.05.2012. The petitioner also stated that an appeal before the Director General of Police, Bihar, Patna was also filed which has not yet been disposed of.



6. Accordingly, the petitioner has made prayer in the instant writ petition to direct the concerned respondent to dispose of the appeal filed by the petitioner.

7. The respondents have not filed counter affidavit.

8. Since, the writ petition pertains to the year 2013, it is very likely that the appeal under reference in the instant writ petition, filed by the petitioner may have been disposed of by the respondent Authorities.

9. In the absence of the counter affidavit on behalf of the respondent-State, this Court is not in a position to ascertain as to whether the appeal filed by the petitioner has been disposed of by the respondent authorities or not.

10. Under the circumstances, this writ petition is hereby disposed of with a direction to the respondent authorities to dispose of the appeal, stated to have been filed by the petitioner, as expeditiously as possible within a period of three months from today, if the same has not yet been disposed of by the respondents.

11. Mr. Arvind Kumar, AC to GA- 9 appearing for the State undertakes to convey the respondent authorities,



the order passed in the writ petition.

12. The writ petition is disposed of with above directions.

(Nani Tagia, J)

Siddharth
Sagar/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	25.10.2024
Transmission Date	NA

