

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.15774 of 2022**

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Md. Masroor Alam Khan Son of Md. Manzoor Khan, Resident of Dangalpara  
Niche Mohalla Dumka P.S. Dumka, District- Dumka, Jharkhand.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Bihar, Patna.
2. The Director General of Police, Government of Bihar, Patna.
3. The Superintendent of Police, Purnea, Dist- Purnea.
4. The Officer-in-Charge of Sarsi, Police Station- Sarsi, District- Purnea.
5. The Sub-Divisional Police Office, Sadar, Purnea, Dist- Purnea.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Ajit Kumar Singh, Advocate  
For the Respondent/s : Mr.Sheo Shankar Prasad (SC-8)

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      20-03-2024                      The present writ petition has been filed  
seeking the following reliefs:-

*"1. i For setting aside and quashing the  
order of suspension vide Memo no.  
2953/Conf. dated 14.8.2018 as well as  
payment of rest pay w.e.f. 14.8 2018.*

*ii. For consideration of the enquiry  
report submitted by Sri Bibhas Kumar,  
the Sub-Divisional Police Officer, Sadar,  
Purnea.*

*iii. For consideration of review  
application-03 by the Superintendent of  
Police, Purnea, vide Memo no. 7604  
dated 6.12.2020, in which the witnesses  
have stated that by whom and when the  
concerned viral Video has been*



*prepared and they have got no knowledge about the same.*

*iv. For that suspension period is unduly long, moreover as to why a departmental proceeding no. 63/2018 which involved only one charge and that too uncomplicated, have taken more than four years and till date has not yet been concluded.*

*v. For that the departmental proceeding no. 63/2018 be quashed.*

*vi. For that it is humbly prayed that a direction should be issued to reinstate the petitioner forthwith to the post of Police Sub Inspector from the date of suspension.*

*vii. For direction to the respondents and to pay the entire due wages for the period of suspension with due interest."*

2. At the outset, the learned counsel for the petitioner has limited his prayer to issuance of appropriate direction upon the disciplinary authority to conclude the departmental proceeding within a stipulated period, failing which the order of suspension dated 14.08.2018 be directed to be revoked.

3. *Per contra*, the learned counsel for the respondent-State submits that since the petitioner is not cooperating in the ongoing departmental



proceeding, delay has taken place, however, he submits that the same shall be concluded within a stipulated time frame, as is directed by this Court, nonetheless, the petitioner be directed to cooperate in the ongoing departmental proceeding.

4. Having regard to the facts and circumstances of the case, I deem it fit and proper to direct the disciplinary authority to conclude the ongoing departmental proceeding by taking a final decision within a period of three months from today, failing which the order of suspension dated 14.08.2018 shall stand revoked automatically, nonetheless, the petitioner is directed to cooperate in the ongoing departmental proceeding, failing which the disciplinary authority shall be at liberty to proceed *ex parte* qua the petitioner herein.

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

**(Mohit Kumar Shah, J)**

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