

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14795 of 2024

Ashok Kumar S/O- Radha Krishna Singh Resident of Village- Ram Koari,
PS- Sarai, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through The Chief Secretary Govt. of Bihar, Patna.
2. Additional Chief Secretary , Department of Home Government of Bihar, Patna.
3. Additional Home Secretary, Home Police Department, Govt. of Bihar, Patna.
4. D.G. of Police Bihar, Patna
5. D.I.G. Purnia Range, Purnia
6. S.P. Purnia, Purnia

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ebrahim Kabir, Advocate
For the Respondent/s : Mr. Government Advocate (9)

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 26-09-2024 Heard Mr. Ebrahim Kabir, learned counsel

appearing on behalf of the petitioner and learned GA 9 for the

State.

2. Petitioner has *inter alia* prayed for following reliefs
in the paragraphs No.1 of the writ petition:-

*That, this is an application for
issuance of an appropriate writ order or direction
for quashing memo no-1098/ Sa. Pra. Dated 08-
08-2019 issued by D.I.G. Purnia Range Purnia
whereby petitioner has been dismissed from
service i. e. Annexure 6 and also for quashing any
order if adverse passed in his appeal filed before
D.G. of Police Bihar Panta on 19-03-2024 which
is pending, during pendency of this case and also*



for quashing any order if adverse passed in appeal/memorial of petitioner before Additional Home Secretary Home (Police) Department, Bihar Patna filed on 19-03-2024 which is pending during pendency of this case and for quashing memo-no 69/Sa. Pra. dated 10-01-2020 issued by I.G. Purnia Range Purnia where by he returned the appeal filed by petitioner saying that it is not maintainable before him and for a direction to the respondents to grant all consequential benefits including reinstating the petitioner in service from the date of dismissal and grant him entire salary and other monetary benefits and also grant him pension and other retiral benefits as the petitioner has on 30-06-2022 attained age of superannuation or for any other order or orders which this Hon'ble may deem fit and proper under the circumstances of this case.

3. Learned counsel appearing on behalf of the petitioner submitted that petitioner having been given misconceived advice, filed a memorial even before any order in appeal preferred by him has been passed against the order contained in Memo No.1098/Sa. Pra dated 08.08.2019 (Annexure 6) passed by the D.I.G. Purnia Range, Purnia by which the petitioner has been dismissed from service. He further submitted that the appeal is pending and the same is required to be adjudicated expeditiously in accordance with law.

4. Considering the limited relief, as sought for in the



present writ petition, the Director General of Police, Bihar may expeditiously consider to pass appropriate order on merit after providing due opportunity of hearing to the petitioner in accordance with law, expeditiously.

5. However, it is made clear that since the appeal and memorial have been filed pursuant to the order of dismissal, the concerned respondent must verify from the records, as to whether the memorial of the petitioner has been disposed of or not.

6. The writ petition is, accordingly, disposed of.

7. Interlocutory Application(s), if any, also stands disposed of.

(Purnendu Singh, J)

Sanjay/-

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