

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15075 of 2024

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Umesh Prasad, Son of Durga Lal, resident of village- Modanganj, P.S.- Ghosi
(Okari O.P.), District- Jehanabad at present suspended Dafdar, Okari O.P.,
District- Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director General of Police, Bihar, Patna.
2. The District Magistrate, Jehanabad.
3. The Police Superintendent, Jehanabad.
4. The Sub Divisional Officer, Jehanabad.
5. The Deputy Collector Land Reforms, Jehanabad.
6. The Circle Officer, Modanganj, Jehanabad.
7. The SHO of Okari O.P., Jehanabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate
For the Respondent/s : Mr.Standing Counsel (16)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 07-10-2024 Heard Learned Counsel for the petitioner and Learned
Counsel for the State.

2. The present Writ Petition has been filed for a
direction to the respondent No.2 to pass appropriate order on the
report of departmental proceeding taken against the petitioner
which was communicated to the respondent No. 2 on
29.11.2022 vide letter No. 994.

3. Learned Counsel for the petitioner submits that



petitioner was appointed on the post of Dafdar on 01.01.1990 and was performing his duty to the full satisfaction of higher authority. Subsequently, vide order dated 22.07.2019 contained in Memo No. 454 passed by respondent No.2, namely, the District Magistrate, Jehanabd, a disciplinary proceeding was directed to be initiated against the petitioner. Thereafter, the respondent 5, namely, the Deputy Collector Land Reforms, Jehanabad conducted an inquiry and submitted its report before the District Magistrate Jehanabd vide letter No. 994 dated 29.11.2022 (Annexure P/4) and since then no final decision has been taken by the District Magistrate on the report submitted by respondent No. 5.

4. Learned Counsel for the State submits that he may be granted permission to file counter affidavit in this matter.

5. In view of this Court, there is no need for filing counter affidavit in this matter particularly when the matter is pending before the disciplinary authority.

6. As such, respondent No.2, namely, the District Magistrate, Jehanabd is directed to take a decision on the enquiry report submitted by the respondent No.5, namely, the Deputy Collector Land Reforms, Jehanabad vide Letter No. 994 dated 29.11.2022 (Annexure P/4) with regard to the petitioner



within 90 days from the date of production of a copy of this order.

7. With the aforesaid observation and direction, the Writ Petition stands disposed off.

(Dr. Anshuman, J)

Ashwini/-

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