

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14743 of 2024

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Bimlesh Kumar @ Bimlesh Kumar Yadav S/o Sri Saheb Yadav Resident of
Village- Karikatta, P.S.- Baheri, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar, through Principal Secretary, Panchayati Raj, Govt. of Bihar, Patna.
2. The Divisional Commissioner, Darbhanga Division, Darbhanga.
3. The Collector cum District Magistrate, Darbhanga.
4. The Senior Superintendent of Police, Darbhanga.
5. The Deputy Collector, Land Reforms, Darbhanga, Darbhanga Collectorate, Darbhanga.
6. The S.D.P.O., Benipur, Darbhanga.
7. The S.H.O., Baheri Police Station, District- Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shanti Pratap, Advocate
For the Respondent/s : Md. Irshad, AC to SC-1

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 26-09-2024 Heard Learned Counsel for the petitioner and

Learned Counsel for the State.

2. The present writ petition has been filed for quashing the entire departmental proceeding initiated against the petitioner and placing him under suspension on non-existent ground. The further prayer has been made for a direction to the respondent No.4, the Senior Superintendent of Police, Darbhanga, to accept the joining of the petitioner after revocation of his suspension vide Darbhanga District Order



No.858 contained in Memo No.1730 dated 09.04.2021, issued by respondent No.4 and further pray for his salary and other allowances after adjusting subsistence allowances paid to him.

3. Learned Counsel fairly submits that the departmental proceeding initiated against him is numbered as Departmental Proceeding No.29 of 2021. He was suspended vide order dated 09.04.2021. Counsel submits that second show-cause has been demanded from him and in compliance of second show-cause he has submitted his reply on 30.10.2024 but till date no final order has been passed by the Senior Superintendent of Police, Darbhanga (respondent No.4). Counsel submits that even after submission of the explanation no final order has been passed.

4. Learned Counsel for the State submits that in this case counter affidavit is required so time may be granted to file counter affidavit.

5. It transpires to this Court that demanding counter affidavit shall make further delay of years and years in redressal of the grievances of the petitioner. Therefore, this Court is not inclined to demand counter affidavit in this case, instead thereof this Court hereby direct the Senior Superintendent of Police Darbhanga (respondent No.4) to to pass final order on the



departmental proceeding of the petitioner within 90 days from the date of receipt/production of a copy of this order.

6. With this direction, this writ petition is disposed off.

(Dr. Anshuman, J)

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