

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17854 of 2023

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Arun Kr. Ray @ Arun Ray S/o Late Amru Roy, R/o Village- Karimganj,
Jamra Balupara Barsoi, P.S.- Barsoi, District- Katihar (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the DGP, Bihar, Patna.
2. The Superintendent of Police, Katihar, District- Katihar.
3. The Superintendent of Police, Katihar, District- Katihar.
4. The State Police Inspector (1st), Police Line, Katihar.
5. The State of Police Inspector (2nd), Police Line, Katihar.
6. The Lekhapal, Police Karyalay, Katihar.
7. The SHO Barsoi (Kachna), Police Station- Katihar, District- Katihar.
8. The Circle Officer, Barsoi.
9. The Medical Officer, Sub-Divisional Hospital, Barsoi.
10. The Accountant General, Bihar Virchand Patel Path, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shiw Kumar Prabhakar, Adv.
For the Respondent/s : Mr. Government Pleader 3

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-01-2024 1. The present writ petition has been filed seeking the
following relief(s):-

*“1.(i). To set aside the order of suspension Katihar
Ziladesh Sankhya 711/2023 bearing Memo No.
1752/R.Ka Katihar dated 26.05.2023 issued under
the signature of the Superintendent of Police,
Katihar whereby and whereunder he was pleased
to place the petitioner under suspension for
consumption of liquor which shows gross
negligence of duty indiscipline arbitrariness and
incompetence as Chaukidar on part of the*



Petitioner as per his order.

(ii) For issuance of Mandamus to revoke the suspension of the petitioner and to reinstate the petitioner with all consequential benefits.

(iii) For issuance of mandamus to grant subsistence allowance to the petitioner during the period of suspension.”

2. At the outset, the learned for the parties have jointly submitted that the Disciplinary Authority may be directed to conclude the departmental proceeding qua the petitioner herein, within a stipulated time frame, failing which, the order of suspension dated 26.05.2023 may be directed to be revoked.

3. Having regard to the submissions made by the learned counsel for the parties, I deem it fit and proper to direct the Disciplinary Authority, i.e. the Superintendent of Police, Katihar to conclude the departmental proceeding in question, if already initiated within a period of six months of receipt/production of a copy of this order, failing which, the order of suspension of the petitioner dated 26.05.2023, shall stand vacated automatically. It is further directed that the subsistence allowance, if not already paid, be paid within a period of two weeks from today.

4. It is needless to state that in case the departmental proceeding has not yet been initiated, the same shall be initiated



and concluded within the aforesaid time frame and for the interregnum period, the outstanding subsistence allowance shall be paid to the petitioner, in accordance with law, without any further delay.

5. It goes without saying that the petitioner shall co-operate in the departmental proceeding and in case of non-cooperation, the Disciplinary Authority shall proceed ex-parte.

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

(Mohit Kumar Shah, J)

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