

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.352 of 2024

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Ram Kumar Ray @ Ram Kumar Rai S/o Late Bipat Rai, Constable no. 34,
R/o - Village- Dayalpur, P.S. - Bihta, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Director General of Police, Bihar, Patna.
2. Director General of Police, Bihar, Patna.
3. Inspector General of Police, Magadh Zone, Gaya (Bihar).
4. Superintendent of Police, Aurangabad. (Bihar).
5. Deputy Superintendent of Police, Aurangabad. (Bihar).
6. Rama Shankar Singh, Police Inspector cum Proceeding Officer, Muffasil Circle, Aurangabad. (Bihar).

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Umesh Kumar Singh, Advocate.
For the Respondent/s : Mr.Md. Irshad, AC to SC-1.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 27-11-2024 Heard Mr. Umesh Kumar Singh, learned counsel

 appearing on behalf of the petitioner and Mr. Md. Irshad,

 learned AC to SC-1 for the State.

2. Learned counsel appearing on behalf of the
petitioner submits that the petitioner was dismissed from service
and thereafter the petitioner filed appeal and the appellate
authority having found the appeal to be time barred dismissed
the appeal *in limine*. Petitioner seeks that since he was not heard
on merit, he seeks to file Memorial before the appropriate
authority.

3. Considering the aforesaid submission made on



behalf of the petitioner and on the basis of the instruction received from the petitioner, the petitioner, if so advised, may file Memorial before the appropriate authority in accordance with the provision of Police Manual and Bihar CCA Rules, 2005 along with the limitation petition for condonation of delay. The authority concerned must consider the limitation petition, as well as, time taken in pursuing remedy before this Court and in the interest of justice, if he finds that mere technicality will not serve justice to the petitioner who has been dismissed from service, a sympathetic consideration is required and after giving full opportunity of hearing to the petitioner take corrective measures in accordance with law, if there is procedural lapses on the part of the disciplinary authority.

4. The writ petition stands disposed of.

(Purnendu Singh, J)

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