

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.442 of 2024

Gyan Ranjan son of Tej Narayan Pathak @ Late Tej Narayan Pathak, R/o
Village- Naokothi, P.S.- Naokothi, District- Begusarai.

... .. Petitioner/s

Versus

1. The Union of India, Ministry of Home Affairs, New Delhi.
2. The State of Bihar, through the Principal Secretary, Department of Home Affairs, Government of Bihar, Patna.
3. The State of Bihar, through the Principal Secretary, Department of Health, Government of Bihar, Patna.
4. The State of Bihar, through the Principal Secretary, Department of Law, Government of Bihar, Patna.
5. The Medical Council of India, New Delhi.
6. The Sashastra Seema Bal, Office of the Commandant, 51st Bn, Sitamarhi-II, Industrial Area, Rajopatti, Sitamarhi, Bihar.
7. The Office of Inspector General, First Appellate Officer cum Public Information Officer, SSB, 3rd Floor, Karpuri Thakur Sadan, Ashiyana-Digha Road, Patna-800025 (Bihar).
8. The Commandant (Pers-II), FHQ SSB, New Delhi.
9. The Commandant (Admn), SHQ, SSB, Bettiah, Bihar.
10. The Dy. Commandant/ Adjutant 21st Bn SSB, Bagaha, Bihar.
11. The Inspector General, Frontier Hqrs., SSB Patna, Bihar.
12. The Dy. Inspector, SHQ, SSB Muzaffarpur, Bihar.
13. All India Institute of Medical Science (AIIMS), Patna, Bihar.
14. The Addl. JAG, FTR Hqr, SSB Patna, Bihar.
15. The In charge, Unit M.I. Room SHQ SSB Muzaffarpur, Bihar.
16. Dr. Brajesh Kumar, the then Second Commanding Officer/ Doctor, on 29.07.2021 posted at 18Bn SSB at Unit M.I. Room, SHQ, SSB, Muzaffarpur, Bihar.
17. Rajan Kumar Srivastava, the then Second-in-Command Offg, Commandant, 51st Bn SSB Sitamarhi-II, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Diwakar Kumar, Advocate
For the Respondent/s	:	Mrs.Kumari Amrita, Advocate
For UOI	:	Mr.K.N. Singh, ASGI
For AIIMS Patna	:	Binay Kr. Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH



ORAL ORDER

2 22-01-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1(i) For issuance of order(s) / direction(s) or writ(s) in the nature of Mandamus directing the Respondent authorities to make payment of the amount of salary along with the punishment reduction amounts (as per charges on him) to the Petitioner for the period when he was being subjected to torture by Respondent Authorities, particularly Respondent No. 16 & 17 where despite of suffering from mental illness certain charges were imposed upon him against which he was imprisoned for 42 days in a cell in a most inhuman condition where regardless of being seriously ill he was not being given proper medicines, proper food and objects related to day to day needs and later he was misplaced from the cell to some distant place in a highly toxicated state where his payments of that duration was not done and also as a punishment reductions were done in his salary/ payment for 4 times in accordance with the charges imposed upon him. And/or

(ii) For issuance of further order(s) / direction(s) or writ(s) in the nature of Mandamus directing the Respondent authorities to improve the APAR and Service Record of the Petitioner seeing his innocence.



And/or

(iii) For issuance of further order(s) / direction(s) or writ(s) in the nature of Quo-Warranto, challenging the authority/ warrant of Respondent No. 16 who despite not being a psychiatrist, checked up the Petitioner for his mental fitness on 29.07.2021 and first certified that the Petitioner is mentally unfit and just after 10 minutes on the same day, acting in connivance with Respondent No. 17 he gave the physical & mental fitness certificate to the Petitioner. And/or”

2. The learned counsel for the petitioner seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioner to approach the respondent-authorities for redressal of his subsisting grievances, if any. Liberty so sought is granted.

3. The present writ petition stands dismissed as not pressed.

(Mohit Kumar Shah, J)

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