

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1343 of 2024

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Gopal Kumar Son of Sri Sadhu Sao, Resident of Village- Janakpur, P.S.-
Mufassil, District- Gaya.

... .. Petitioner/s

Versus

1. East Central Railway, through its General Manager, Hajipur.
2. General Manager, East Central Railway, Hajipur.
3. Chief Security Commissioner, Railway Protection Force (RPF), East Central Railway, Hajipur.
4. Assistant Security Commissioner, R.P.F., East Central Railway, Patna.
5. Inspector R.P.F., Rajendra Nagar Post, Patna cum Enquiry Officer.
6. Inspector, R.P.F. Post, Fatuha.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh, Adv.
For the Respondent/s : Mr. Awadhesh Kumar Pandey, Sr. CGC

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 07-03-2024 The present writ petition has been filed seeking the
following relief:-

“1. That this is an application for issuance of an appropriate writ, order or direction for setting aside the order as contained in letter no.5/2015/184 dated 5.1.2023 issued from the office of Senior Divisional Security Commissioner, R.P.F. East Central Railway and signed by Assistant Security Commissioner, R.P.F. East Central Railway whereby and whereunder its copy was forwarded to petitioner informing him that earlier the enquiry officer Sri Hemant Lal has submitted enquiry report vide letter no.2016/62 dated 25.4.2016 and after



reviewing the aforesaid report Head quarter vide its letter dated 15.11.2022 found that earlier enquiry officer has not given specific finding whether the delinquent is guilty or not guilty, it is not in accordance with Rule 153.19 of the R.P.F. Rules 1987 and accordingly the competent authority has again appointed a new Enquiry Officer and the date of Enquiry is being fixed on 13.1.2023 at 10.30 in the Office of R.P.F. Inspector, Rajendra Nagar as well as the order dated 4.8.2023 passed by the Inspector, RPF Post, Rajendra cum Enquiry Officer by which he rejected the application filed by the petitioner by which he informed that the earlier enquiry was held by the competent authority and they are decided to proceed with the enquiry and all documents has already been given to him by the previous enquiry officer and he was requested to place his defence witness within 10 days.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Disciplinary Authority in order to enable him to agitate his grievances regarding stay of the departmental proceedings till conclusion of the criminal case. Liberty so sought is granted.

3. It is needless to state that in case the petitioner approaches the Disciplinary Authority, by filing appropriate representation, within a period of two weeks from today, the same shall be



disposed off, by a reasoned and a speaking order, in accordance with law, within a period of six weeks, thereafter.

4. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

Ajay/-

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