

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10205 of 2018

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Sujeet Kumar No. 12420228 H. C. R. O. Son of Rajgrihi Ram residence of village - Chhotka Nuon Dera, P.O. - Buxar Central Jail, P.S. - Buxar Muffasil Chausa, District - Buxar, Pin - 802102.

... .. Petitioner/s

Versus

1. The Union Of India and Ors
2. The General Frontier HQ, Shillong - 793001.
3. The Inspector General BSF Sector HQ - Kishanganj, Bihar.
4. The Deputy Inspector General/ADM/Mokamaghat, Dist - Patna, Bihar.
5. The Commandant No. Estt./Legal/58/BM/2007/10973-75 Hqr, 58 Battalion, Border Security Force Dhanakgretura, Meghalya- 794109

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Singh, Advocate
For the Respondent/s : Mr. S.D Sanjay Addl. Soc. Gen.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 10-04-2025 Heard learned counsel for the petitioner and learned counsel for the State.

2. Learned counsel for the petitioner submits that I.A. No. 1 of 2019 has been filed with a request to accept the joining of the petitioner.

3. Learned counsel for the Union of India submits that a counter-affidavit has been filed in the present case, wherein it has been stated that, *vide* order dated 02.03.2019, the petitioner's service was struck off from the unit with effect from 02.03.2019. Counsel further submits that the petitioner has challenged the said order before this Court by filing I.A. No. 1



of 2019.

4. After hearing the parties, it transpires to this Court that, with the efflux of time, the present case has become infructuous, as a new cause of action has arisen for the petitioner by virtue of the order dated 02.03.2019. It further transpires to this Court that the said order is subject to challenge before the higher authority under the relevant statute, namely, the Border Security Force Act, 1968 (Act No. 47 of 1968).

5. In view of the above, the present writ petition stands disposed off, with liberty to the petitioner to avail the remedy available under law for challenging the said order of punishment.

6. It is made clear that the concerned statutory authority shall condone the delay, if any, in filing the appeal or revision

7. With this direction, the writ petition stands disposed off.

(Dr. Anshuman, J.)

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