

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11335 of 2025

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Kamlesh Kumar Son of Ganga Prasad, Resident of village- Jayrampur, Police Station - Mohania, District- Kaimur.

... .. Petitioner/s

Versus

1. The State of Bihar represented through the Director General of Police, Government of Bihar, Patna.
2. The Additional Director General of Police (Budget/Appeal/Welfare), Bihar, Patna.
3. The Deputy Inspector General of Police, Saran Range, Chapra.
4. The Enquiry Officer-cum-Senior Superintendent of Police (Traffic), Saran, Chapra.
5. The Superintendent of Police, Saran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Krishna Chandra, Advocate
For the Respondent/s : Mr. Government Pleader (24)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL JUDGMENT

Date : 24-07-2025

Heard learned Counsel for the petitioner and learned
Counsel for the State.

2. Learned Counsel for the petitioner has filed the
present writ petition with the following reliefs:-

*“a. For issuance of an
appropriate Writ/Writs, direction
/directions in the nature of Certiorari
for quashing the entire departmental
proceeding being Departmental
Proceeding No.-123/2019 initiated
against the petitioner in complete*



disregard to the provisions laid down under Bihar Government Servants (Classification, Control and Appeal) Rules, 2005.

b. For quashing the Inquiry Report dated 12.03.2025 issued by Enquiry Officer-cum-Senior Superintendent of Police (Traffic), Saran, Chapra, which is based on no evidence.

c. For issuance of direction in the nature of Mandamus for staying the departmental proceeding being Departmental Proceeding No.- 123/2019, till conclusion of the criminal case pending against the Petitioner.

d. For any other relief/reliefs which the Hon'ble court may grant in the interest of the petitioner that may be deemed appropriate and necessary in this case.”

3. Learned Counsel for the State submits that time may be granted to file counter affidavit in this case.

4. Upon perusal of the documents, it transpires to this Court that part of Annexure-P/14 has been challenged. It further transpires to this Court that Annexure-14 is in two parts, the first



part is the second show-cause and the said second show-cause has not been challenged here; rather the inquiry report has been challenged, which is the second part of Annexure-P/14.

5. It transpires to this Court that issuance of second show-cause is the last stage and after reply of the second show-cause, the Disciplinary Authority has to pass the final order. It is due to this reason, this Court is not inclined to interfere in this case and writ petition is dismissed.

6. It is directed to the petitioner that he shall file the reply of the second show-cause, within 30 days, if not filed, and the Disciplinary Authority is hereby directed to pass final order within 60 days from the date of receipt/production of a copy of this order.

(Dr. Anshuman, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	26.07.2025
Transmission Date	

