

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8706 of 2012

=====

Avinash Prasad Son Of Late Ayodhya Prasad Resident Of Mohalla - Nawada,
North Street, Police Station - Nawada, District - Bhojpur

... .. Petitioner/s

Versus

1. The State Of Bihar And Ors
2. The Special Secretary Home Police Department Govt. Of Bihar
3. The Director General Of Police, Bihar, Patna
4. The Personel And Administrative Department Govt. Of Bihar, Patna
5. The Inspector General Of Rail,Muzaffarpur
6. The Superintendent Of Police Rail, Muzaffarpur
7. The Superintendent Of Police, Aurangabad

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Adv.
For the Respondent/s : Mr. Suresh Kumar, AC to GP- 1

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

12 24-02-2025 Learned Counsel for the petitioner and Learned
Counsel for the State are present.

2. The present writ petition has been filed for the
following reliefs:-

*(i) Issue a writ in the nature of
certiorari to quash the order dated
24.01.2012 (Annexure-7) issued under the
signature of special Secretary Govt. of
Bihar, Patna, whereby and where under
petitioner was directed to file show cause
that why not your promotion on the post of*



D.S.P. be cancelled.

(ii). And also issuance a writ for for comanding the respondent to continued the petitioner on the post of D.S.P.

(iii). And any other relief/reliefs for which the petitioner may found entitled in the eye of law.

3. It is the specific plea of the petitioner that the departmental proceeding against the petitioner has not been concluded till date, as no information has been communicated to the petitioner, as it transpires from the order dated 10.02.2025. Therefore, this Hon'ble Court has directed the department to provide a copy of the departmental proceeding to the petitioner by filing a supplementary counter affidavit. The supplementary counter affidavit was filed on 21.02.2025, attaching the final decision of the departmental proceeding, which is contained in Memo No. 1802 dated 04.10.2013, and is annexed to the supplementary affidavit.

4. In light of this, the final order has been passed, and the petitioner has been informed about it via the supplementary counter affidavit.

5. Accordingly, this writ petition is hereby disposed off, with a direction the petitioner to avail statutory remedy of appeal before the Appellate Authority. Delay, if any, in filing



the appeal is hereby directed to be condoned. The Appellate Authority shall decide the petitioner's appeal within 60 days from the date of production of the memo of appeal, along with the order passed by this Court.

(Dr. Anshuman, J.)

Aman Kumar/-

U			
---	--	--	--

