

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22909 of 2012

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Devdas (Bal Sahkha No.035190071, Ex-Constable/G.D. of 116 Battalion CRPF), S/O Sri Krishna Ram R/O Village- Balbathra, Police Station- Ara (Town) in the District of Bhojpur.

... .. Petitioner/s

Versus

1. The Union Of India through the Secretary, Ministry Of Home Affairs, Government Of India, New Delhi
2. The Director-General Central Police Reserve Police Force C.R.P.F., C.G.O. Complex, Block No.1, C.R.P.F., New Delhi
3. The Inspector General-Cum-Revisonal Authority Central Reserve Police Force (C.R.P.F.), Patna
4. The Deputy Inspector General-Cum-Appellate Authority Central Reserve Police Force (C.R.P.F.), Muzaffarpur
5. The Commandant-116 Bn. - Cum - Disciplinary Authority C.R.P.F. Through 56 A.P.O.
6. The Assistant Commandant-116 Bn. - Cum - Enquiry Office, C.R.P.F.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Abhinav Shrivastava, Sr. Advocate Mr. Raushan Kumar Advocate Mr. Sunil Kumar, Advocate
For the U.O.I	:	Mr. Kumar Ravish, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

7 07-10-2025 Heard learned Senior counsel for the petitioner and

learned counsel for the respondents.

2. The petitioner has filed the instant application for

the following relief (s) :-

“1(i.) For quashing the office order dated Nil. October, 2008 contained in letter No. P.AATH 16/07, the 116 SIHA-2 dated 23rd October, 2008 passed by the Commandant 166/Bn. CRPF through 56 APO, as contained in Annexure-9, by which the writ petitioner has been proceeded under section 11(1) of C.R.P.F. Act, 1949 read



with Rule 27 of C.R.P.F. Rules, 1955 and was dismissed from service to the effect of after noon of 23rd October, 2008. Accordingly, he has been ousted from the said Battalion and has also been ordered for forfeiture of all the medals and Alankarn, which were acquired by the writ petitioner during his service period.

ii. For quashing the order dated 20th October, 2010 under letter No. R-XIII-1/DD/2010-BS-EC-3 passed by P. Valsa kumar, the Inspector General of Police, B/S, CRPF, Patna-25 (Bihar), as contained in Annexure-11, by which the revision petition filed by the petitioner was dismissed holding the said revision petition being devoid of any merit.

iii. For quashing the order dated 30th April, 2010 under letter No. R-XIII-2 (116)/2009-EC-1 passed by Sri Amar Singh. Nagi, Deputy Inspector General, CRPF, RANGE Headquarter Muzaffarpur, Bihar rejecting the appeal filed by the writ petitioner on the ground of being devoid of any merit.

iv. For issuance of direction and commanding the respondents to reinstate him in service with all consequential reliefs.

v. For issuance of any other appropriate writ (s), order (s) or direction (s), as this Hon'ble Court may deem fit and proper on the facts and in the circumstances of the present case.”

3. At the outset, learned counsel appearing for the respondents raises the preliminary objection with respect to the maintainability of the instant application on the ground that the earlier writ application (CWJC no.4086 of 2011) filed by the petitioner was dismissed for non-prosecution by order dated 4.3.2011 (Annexure-2). Learned counsel for the respondents places reliance on the judgment of this Court in the case of Brij



Bihari Pandey & Ors. vs. State of Bihar & Ors; AIR 1997 Pat
74.

4. In view of the above, learned Senior counsel appearing for the petitioner seeks permission to withdraw this application to take appropriate steps for restoration of the earlier writ application ie CWJC no.4086 of 2011.

5. Without going into the merits of the case of the parties, the instant application stands disposed of as withdrawn with the aforesaid liberty.

(Partha Sarthy, J)

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