

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15566 of 2025

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Parvej Khan Son of Mainuddin Khan, residence of Village- Tajpur Kurra,
P.S.- Dildarnagar, District- Ghazipur (UP).

... .. Petitioner/s

Versus

1. The State of Bihar through the Home Secretary, Government of Bihar, Bihar, Patna.
2. The Director General of Police, Government of Bihar, Bihar, Patna.
3. The Inspector General of Police, Patna Zone, Patna.
4. The Deputy Inspector General of Police, Shahabad Range, Dehri-on-Sone, Rohtas.
5. The Superintendent of Police, Kaimur at Bhabhua.
6. The Police Inspector, Mohania, District- Kaimur.
7. The Station Head Officer, Durgawati Police Station, District- Kaimur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Md. Helal Ahmad, Advocate
For the Respondent/s : Mr. Navnit Kumar, AC to GP-18

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 2 13-11-2025 1. Heard learned counsel for the petitioner and learned
counsel for the respondents.
2. The petitioner has filed the instant application for
the following reliefs :-

*“1. (A) For quashing of order dated
23.06.2018 issued under Memo No. 4804 passed
by Respondent no. 5, the Superintendent of
Police Kaimur whereby petitioner has been
terminated from the post of contract
driver/constable posted in Dirgawati Police
Station, District- Kaimur, without issuing any*



show cause or opportunity of hearing to the petitioner which is violation of Principal of Natural Justice.

(B) Also quash the order dated 14.08.2025 issued under memo no-977, passed by respondent no 4, DIG Sahahbad Marg, Dehri on sone, Rohtas whereby and where under the memo of appeal filed against order dated 23.06.2018 issued under memo no 4804 has been rejected without considering that respondent no 5 without issuing any show cause or affording opportunity of hearing to the petitioner terminated him from service.

(C) For issuance of an appropriate mandamus directing and commanding the respondents to restore service of the petitioner.

(D) For issuance of any other writ/writs/order/orders to which the petitioner may be found entitled to.

(E) During pendency of this writ application stay the impugned order dated 23.06.2018 issued under memo no 4804 passed by respondent no 5 and order 14.08.2025 issued under memo no 977 passed by respondent no 4.

Photocopy of order dated 23.06.2018 issued under memo no 4804 and 14.08.2025 issued under memo no 977 is annexed as Annexure P/1 and P/2.”

3. Having heard learned counsel for the parties and on perusal of the contents of the petition it transpires that the



contractual engagement of the petitioner was dispensed with by order dated 23.6.2018 passed by the Superintendent of Police, Kaimur (Bhabhua). On the petitioner having preferred CWJC no.412 of 2021, the same was disposed of by order dated 13.1.2022 reserving liberty to the petitioner to prefer an appeal before the Appellate Authority. The appeal preferred by the petitioner has been rejected by the Appellate Authority by order dated 14.8.2025.

4. In the opinion of the Court, the petitioner is still left with an alternate and efficacious remedy of preferring a memorial before the Director General of Police, Bihar (respondent no.2) challenging the orders of the Superintendent of Police as also the Appellate Authority.

5. At this stage, learned counsel for the petitioner refers to and relies upon the judgment of the Hon'ble Supreme Court dated 28.8.2024 passed in SLP (C) no.10546 of 2019 (U.P. State Road Transport Corporation & Ors. vs. Brijesh Kumar & Anr.) as also the judgment dated 20.9.2024 passed in CWJC no.15117 of 2022 (Anand Kumar Singh vs. The State of Bihar & Ors.) in support of his case.

6. The petitioner will be at liberty to raise all the points including citing these judgments before the respondent



no.2, at the time of hearing of his memorial.

7. The writ application stands disposed of with liberty to the petitioner to file a memorial before the respondent no.2, which if filed within a period of four weeks, shall be decided at the earliest preferably within a period of three months from the date of its filing.

8. It is made clear that the Court has not gone into the merits of the case of the petitioner which is to be decided by the respondent concerned.

9. The writ application stands disposed of with the above observations and directions.

(Partha Sarthy, J)

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