

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18789 of 2025

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Shashi Kumar Singh Son of Late Jamadar Prasad Singh, resident of Village-
Madhavpur, Police Station-Aurai, District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Director General of Police Bihar, Patna.
3. The I.G. of Police Muzaffarpur Zone, Muzaffarpur.
4. The D.I.G. Saran Division at Chhapra, District-Saran.
5. The Superintendent of Police, Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Abhay Kumar, Advocate
For the Respondent/s : Mr. Md. Irshad, AC to SC-1

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 18-12-2025 1. The petitioner has filed the instant application for
the following reliefs :-

*“(i) For issuance of a writ in the
nature of "Certiorari" for setting aside of the
Siwan District Order No-1066 of 2020 Passed
on 31.08.2020 as contained in Memo No-3617 of
2020 issued under the Signature of
Superintendent of police, Siwan whereby and
where under the petitioner has been dismissed
for service who was working on the post of
Constable without following the Principles of
natural Justice and without issuance of first and
second show cause notice to the petitioner.*

*(ii) For issuance of Command and
direct the state respondents to reinstate the*



petitioner hereinabove on the Post of Constable without brakeage in his service and with all back salary as well as all consequential benefits/monetary benefits with due interest thereon, which the petitioner heroin above is legally entitled to

(iii) For any other relief/reliefs for which the petitioner is entitled too.”

2. At the outset, learned counsel for the respondents raises a preliminary objection that the petitioner has an alternate and efficacious remedy of filing an appeal against the order impugned before the D.I.G., Saran Division at Chapra, District-Saran (respondent no.4). It is also submitted that there is much delay in preferring the instant application.

3. In response, it is submitted by learned counsel for the petitioner that so far as the delay part is concerned, the same is effectively explained by the orders enclosed as Annexure-3 and Annexure-5 series passed in CWJC no.4857 of 2003 and MJC no.1683 of 2018 which was disposed of by order dated 7.10.2025 giving liberty to the petitioner that if aggrieved by the order passed by the Enquiry Officer, he will be at liberty to challenge the same before the Writ Court.

4. In view of the aforesaid, learned counsel for the petitioner seeks permission to withdraw this application to prefer an appeal. It is further prayed that some time may be



fixed for disposal of the appeal within a reasonable time.

5. Having heard learned counsel for the parties and without entering into the merits of the case of the petitioner, the writ application stands disposed of giving liberty to the petitioner to prefer an appeal as provided in law.

6. If an appeal is preferred, the Appellate Authority shall decide the same at the earliest preferably within a period of three months from the date of its filing.

7. The writ application stands disposed of.

(Partha Sarthy, J)

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