

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1441 of 2022

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Dhanju Sharma S/o Late Birbal Sharma Resident of Village- Satbahini, P.O.-
Satbahini, P.S.- Bishrampur, District- Palamu (Jharkhand).

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Director General of Police, Police Department, Bihar, Patna.
3. Deputy Inspector General of Police (Human Rights), Bihar, Patna.
4. Superintendent of Police, Rohtas at Sasaram.
5. Sergeant Major, Police Line, Dehri, Rohtas.
6. The State of Jharkhand x
7. Deputy Commandant General-cum-Deputy Inspector General of Police
(Home Guard) Jharkhand Home Guards, Jharkhand, Ranchi.
8. Divisional Commandant, Jharkhand Home Guards, Ranchi.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Prabhat Ranjan Singh, Advocate Mr. Ajay Kumar Tiwari, Advocate
For the Respondent/s	:	Mr. Md. Nadim Seraj (GP-5)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

7 19-01-2026 Heard learned counsel for the petitioner and learned
counsel for the State.

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

*(i) For that petitioner had been
initially dismissed from the post of Constable
on the charges leveled for the alleged
offence of using fake Homeguard certificate.
A departmental proceeding had been
launched and concluded against the*



petitioner and now petitioner has been acquitted by a Criminal Court for the same alleged criminal offence of citing fake Homeguard certificate, and as such in view of liberty accorded by a bench of this Hon'ble Court C.W.J.C. in No. 5112/2008 dt. 29.04.2011 (Dhanju Sharma, Petitioner Vs The State of Bihar and Ors), petitioner prays for direction to the Respondents to review the order of Dismissal of the petitioner from the post of Constable, in the light of provision contained in Clause 7 of Govt. Letter dt. 23.8.1963.

(ii) For that petitioner further prays for direction to the Respondents to provide consequential benefits including him all arrears of salary, seniority amongst his cadres etc.

(iii) For any other relief (s) for which petitioner is found entitle on the facts of this case and also in the eye of law.

3. Learned counsel for the petitioner submits that he has filed a representation before the Superintendent of Police, Rohtas at Sasaram (respondent No. 4), but respondent No. 4 has not taken any decision on the representation.

4. Learned counsel for the State submits that the genesis of the petition was based on forgery and fabrication, but



he fairly submits that, from the pleadings, it transpires that no decision has been taken as yet on the petitioner's representation.

5. It transpires to this Court that the said representation was filed in the year 2021. It is for this reason the petitioner is hereby directed to file a fresh representation, and he is free to raise all the points in his representation before the Superintendent of Police, Rohtas at Sasaram (respondent No. 4) within 30 days from the date of passing of this order. Upon receipt of the representation, respondent No. 4 shall take a decision thereon within 90 days thereafter.

6. Accordingly, with the above directions, the present writ petition stands disposed off.

(Dr. Anshuman, J.)

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