

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3013 of 2022

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Wakil Singh Son of Late Daroga Singh Resident of Village-Belaha, Police Station-Muffasil (Buniyadganj), Gaya, District-Gaya at Present Residing at Kalyani Co-Operative near Satya Gas Godown Harnichak Anishabad, Patna-800002.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Home Department, Govt. of Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Inspector General of Police, Tirhut Range, Muzaffarpur.
4. The Superintendent of Police, Sitamarhi.
5. The Enquiry Officer-Cum-Deputy Superintendent of Police, Head Quarter, Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Jitendra Prasad Singh, Sr. Advocate Mr. Rajeev Kumar, Advocate Mr. Venkatesh Kaushik, Advocate
For the Respondent/s	:	Mr. M. Nasrul Huda Khan, SC- 1 Md. Harun Quareshi, AC to SC- 1

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 09-04-2026 Though the instant case was listed under the heading ‘Orders on Petitions’, in view of the submissions made by learned counsel for the petitioner, the writ application is being disposed of with the consent of the parties at this stage itself.

2. The petitioner has filed the instant application for the following relief:

“1. That this is an application for issuance of an appropriate writ/writs setting aside



the District Order No.3927 of 2021 contained in Memo No.1045 dated 29.8.2021 issued by Respondent No.3 whereby and whereunder petitioner has been dismissed from the post of Sub-Inspector of Police in exercise of power stipulated under the Police Mannual and Rule 14(X) of the Bihar Govt. Servant (Classification, Control and Appeal) Rules, 2005 hereinafter referred to as CCA Rules and or to grant any other relief or reliefs for which petitioner is legally entitled in the facts and circumstances of the case.”

3. It is submitted by learned counsel for the petitioner that the order of punishment challenged in the writ application was set aside by the Appellate Authority and subsequent thereto a proceeding under Rule 43(b) of the Bihar Pension Rules has been initiated.

4. Learned counsel for the petitioner submits that the proceedings under Rule 43(b) of the Bihar Pension Rules is not maintainable in view of the same having been initiated with respect to an occurrence which was more than four years old. The petitioner has other important points which the authorities conducting the proceeding should consider.



5. Having heard learned counsel for the parties and having perused the contents of the petition, the writ application is disposed of directing the respondent authorities to proceed with and conclude the proceeding under Rule 43(b) of the Bihar Pension Rules against the petitioner in accordance with law within a reasonable period.

6. The writ application stands disposed of.

(Partha Sarthy, J)

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