

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4509 of 2026

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Arvind Kumar Son of Late Shyam Narayan Singh, Resident of Village-
Shahpur Balwa, P.S.- Nagarnausha, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. D.G. of Police Bihar, Patna.
3. A.D.G. of Police (HQ) Bihar, Patna.
4. I.G. of Police, Central Range, Patna.
5. S.S.P., Patna.
6. S.P., City East, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Ms. Shruti Sinha
For the Respondent/s : Mrs. Anuradha Singh, SC-21

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 02-04-2026 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The instant writ application has been filed seeking a direction upon the respondents to grant leave encashment and pension, which have not yet been extended to the petitioner, along with interest @ 12% on the arrears from the date it became due till the date of actual payment, as the petitioner has retired from the post of ASI of Police on 30.11.2022, or for any other order(s) which this Court may deem fit and proper in the facts and circumstances of the case.

3. Learned counsel for the petitioner submits that on an allegation of illegally acquiring money from trucks, a



departmental enquiry as well as a criminal case, being Masaudhi P.S. Case No. 21 of 2021 dated 06.01.2021 under Sections 384/34 of the IPC, was instituted. The petitioner was placed under suspension and subjected to departmental proceedings. It is the case of the petitioner that in the criminal case, he has been exonerated by the Court of Sub-Judge-cum-ACJM, Masaurhi, vide judgment dated 13.01.2023. It is further submitted that on the same allegations, a departmental enquiry has also been initiated, which is still pending, on account of which the pension and other pensionary benefits have not been settled till date.

4. Learned counsel further submits that the petitioner shall place the judgment of acquittal passed by the Court of the Sub-Judge-cum-ACJM, Masaurhi before the Enquiry Officer, and upon such submission in connection with Masaudhi P.S. Case No. 21 of 2021, necessary orders with regard to the allegations forming the subject matter of the departmental enquiry may be directed to passed, and the same shall be concluded, whereafter appropriate orders shall be passed in the departmental proceeding, on account of which the pension and pensionary benefits of the petitioner have been withheld.

5. On the other hand, learned counsel for the State submits that since the judgment of acquittal has already been



brought on record as Annexure-P/5 to the writ application, appropriate directions may be issued to the authorities to take a decision in the pending departmental enquiry as well as with regard to the entitlement of the petitioner to pension and pensionary benefits.

6. In view of the submissions advanced on behalf of the parties, this Court deems it appropriate to direct the petitioner to place all relevant documents before the Enquiry Officer, who, upon consideration thereof, shall pass a final order in the departmental enquiry within a period of one month from the date of production of such documents. Upon submission of the enquiry report before the Disciplinary Authority, a final decision shall be taken with respect to the departmental proceeding, and considering the outcome thereof, the entitlement of the petitioner to pension and pensionary benefits shall also be decided within a further period of two months thereafter.

7. With the aforesaid observations and directions, the instant writ application stands disposed.

(Ajit Kumar, J)

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