

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6984 of 2026

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Lalji Mishra son of Late Banshiraj Mishra, resident of Village- Mansingh Patti, Barkagaon, P.S.-Industrial Area Buxar, District-Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director General of Police, Bihar, Patna.
2. The Deputy Inspector General of Police, Begusarai Range, Begusarai.
3. The Superintendent of Police, Khagaria.
4. The Deputy Superintendent of Police, Headquarter, Khagaria-cum-Enquiry Officer.
5. The Inspector of Police, Headquarter, Khagaria-cum- presenting officer.
6. The Accountant General (A and E), Viharchand Patel Path, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Indu Bhushan, Advocate
For the Respondent/s	:	Mr. Ravi Kumar, AC to GP-13
For the AG	:	Dr. Anand Kumar, Advocate
		Ms. Vijeta Kumari, Advocate

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT
Date : 05-05-2026

Heard learned Counsel for the petitioner, learned Counsel for the Accountant General and learned Counsel for the State.

2. Learned Counsel for the petitioner submits that the present writ petition has been filed with the following reliefs:

“(i) For issuance of an appropriate writ in the nature of certiorari for quashing the impugned order of penalty issued vide Memo No. 3735 dated 18.12.2024 (contained in Annexure-P/7)



issued by under the signature of Respondent No.03, whereby and where under departmental proceeding penalty has been imposed upon the petitioner for deduction of 50% amount of pension for three years under Rules 139 Rule 43(a) of Bihar Pension Rules and further penalty has been imposed that for the period of suspension nothing shall be payable save and except subsistence allowance in violation of Rule 97(3) of the Bihar Service Code.

(ii) For quashing the enquiry report issued vide Memo No.710 dated 25.10.2024 (contained in Annexure-P/5) issued by the Respodnent No.04.

(iii) For issuance of a direction in the nature of Mandamus commanding the responsible respondents to pay entire salary for the period of suspension as well as 100% amount of pension.

(iv) For a direction to the responsible respondents to pay all the consequential benefits for which the petitioner is found entitled to.

(v) For other relief(s) for which the petitioner is entitled to.”

3. Learned counsel for the State raised preliminary objection and submits that from the pleadings, particularly Annexure-P/8, it transpires that appeal of the petitioner is still



pending before the appellate authority.

4. In this view of the matter, this Court, without entering into the merits or demerits of the case, disposes off the present writ petition directing respondent No. 2, the Deputy Inspector General of Police, Begusarai Range, Begusarai, to decide the appeal of the petitioner in accordance with law within a period of 90 days from the date of receipt/production of a copy of this order.

(Dr. Anshuman, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	06.05.2026
Transmission Date	

