

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.6946 of 2026**

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Rajnish Kumar S/o Sri Ramjanm Singh, Resident of Village- Ismailpur, Post-  
Aimachouki, P.S. Khizarsarai, District Gaya, Bihar.

... .. Petitioner/s

Versus

1. The Union of India through Secretary, Ministry of Home Affairs, North Block, New Delhi- 110001.
2. Director General, Border Security Force (BSF), Block No.- 10, CGO Complex, Lodhi Road, New Delhi.
3. Inspector General, Frontier HQ BSF, North Bengal, P.O. Kadamtala, District, West Bengal.
4. Deputy Inspector General, BSF, SHQ, BSF Camp, Kishanganj, Bihar.
5. Commandant, 87 Battalion, BSF, Panjipara, District- North Dinajpur (W.B.).
6. Superintendent of Police, Kishanganj, Bihar.
7. S.H.O., P.S. Kishanganj, District- Kishanganj, Bihar.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s | : | Mr. Pravin Kumar, Advocate   |
| For the State        | : | Mr. Gyan Prakash Ojha (GA-7) |
| For the U.O.I        | : | Mrs. Punam Kumari Singh, CGC |

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**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      05-05-2026                      Heard learned counsel for the petitioner, learned  
counsel for the State and learned counsel for the Union of India.

2. Learned counsel for the petitioner submits that the  
present writ petition has been filed for issuance of appropriate  
writ(s)/order(s)/direction(s) commanding the respondent  
authorities for the following relief/s:-

*“I. For issuance of an appropriate writ in the  
nature of writ of Certiorari quashing the  
arbitrary and illegal dismissal of the petitioner*



*vide order dated 12.12.2025, passed by the Commandant, 87 Battalion BSF.*

*II. For further issuance of appropriate writ in the nature of writ of Mandamus directing the respondents to reinstate petitioner with full back wages and continuity of service as per date before the impugned dismissal order dated 12.12.2025.*

*III. For further issuance of appropriate writ in the nature of writ of Mandamus directing the respondent's appellate authority (Respondent No. 3) to decide statutory appeal within a fixed time frame.*

*IV. For declaring the SCOI proceedings as void since being suffering from serious procedural and legal infirmities.*

*V. For declaring the suspension order illegal being in violation of Rule 40 -A, BSF Rules 1969.*

*VI. For direction to respondents to provide entire SCOI records with its connected annexures/exhibits, mobile forensic data, CDR source records, special SITREP dated 24.10.2024 & corrigendum dated 25.10.2024 and detailed report dated 25.10.2024.*

*VII. For grant of Interim Relief by staying the impugned dismissal order of petitioner and payment of subsistence allowance or provisional salary to the petitioner till finalisation of the matter.*



*And/or*

*VIII. For any other relief/reliefs that your lordships may deem fit and proper in the interest of justice.”*

3. Learned counsel appearing for the Union of India raised preliminary objection and submits that the dismissal order dated 12.12.2025 passed by the Disciplinary Authority/Commandant has been challenged directly before this Hon'ble Court. He submits that the appeal of the petitioner is still pending and no final decision has come on the petitioner's appeal.

4. In response thereof, counsel for the petitioner submits that he has filed appeal and also submitted reminder for expeditious decision on the statutory appeal, but no decision has been taken. Thereafter, the petitioner has preferred the present writ petition.

5. Upon perusal of the memo of statutory appeal and reminder for the same which are annexed as Annexure-P/9 & Annexure-P/10, this Court hereby directs the Inspector General, Frontier HQ BSF, North Bengal, P.O. Kadamtala, District-Darjeeling, West Bengal (Respondent no.3) to take decision on the statutory appeal of the petitioner (Annexure-P/9) by way of passing a reasoned and speaking order, within 90 days from the



date of production of a copy of this order.

6. Accordingly, with the aforesaid direction, this writ  
petition stands disposed off.

**(Dr. Anshuman, J)**

Divyansh/-

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