

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7163 of 2017

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Deepak Kumar Singh Son of Baleshwar Singh, Resident of Village- Biraul,
P.S.- Khajauli, Distt. Madhubani.

... .. Petitioner/s

Versus

1. The Union of India through its Secretary, Ministry of Home Affairs, New Delhi.
2. Director General S.S.B. East Block, R.K. Puram, New Delhi.
3. Dy. Inspector General S.S.B Head Quarter, Muzaffarpur.
4. Commandant 35th Bn S.S.B. Raj Nag Nagar, District- Madhubani.
5. Assistant Commandant S.S.B. 35th Bn Raj Nagar, District- Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Arun Kumar, Advocate
For the Respondent/s	:	Mr. Manoj Kumar Singh, Advocate Mr. Prabhat Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT

Date : 12-02-2026

Heard learned counsel for the parties.

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

*“1. A) To quash the order
dated 26.09.16 issued under the
signature of Commandant 35 Bn
S.S.B. Rajanagar. District Madhubani
a copy of which is annexed as
Annexure-'3' to this writ application
by which he has removed the
Petitioner from the post of constable
CT/G.D under rule 26 of the S.S.B.*



rules 2009.

B) To direct the Respondent to re-instate the the petitioner at the post of CT/GD in 35th Bn S.S.B Rajanagar District-Madhubani and to pay regular salary from the date of removal.

c) To pass any such other order or orders as this Hon'ble Court thinks fit and proper.”

3. It is the case of the petitioner that while he was discharging his duty as constable, general duty in the Sashastra Seema Bal, an enquiry was started against him with respect to the fact as to whether he had contracted a second marriage during the lifetime of his first spouse.

4. The enquiry lead to issuance of a show cause notice dated 5.8.2016 to which the petitioner replied on 24.8.2016.

5. The respondents came out with an order dated 26.9.2016 (Annexure-3) inflicting the punishment of removal from service on the petitioner with immediate effect. It is this order which the petitioner has challenged in the instant writ application.

6. It is submitted by learned counsel for the



petitioner that the order impugned is illegal and not sustainable for the reason that he had contracted the marriage with the second wife after obtaining consent of his first wife. It was for the reason that the petitioner had only two daughters from the first wife. As such, it is prayed that the order impugned be set aside and the writ application be allowed.

7. The application is opposed by learned counsel appearing for the respondents. Besides opposing the writ application on merits, learned counsel submits that pursuant to having contracted the second marriage, the same renders the petitioner ineligible in terms of Rule 11 of the Sashastra Seema Bal Rules, 2009. It is further submitted that in fact in his reply to the show cause notice, the petitioner accepted entering into a second marriage during the lifetime of his first spouse.

8. Heard learned counsel for the parties and perused the material on record.

9. From the contents of the writ petition, it transpires that on having been served with a show cause notice with respect to the fact as to whether the petitioner had entered into and contracted a second marriage during the lifetime of his first spouse, the petitioner filed his reply on 24.8.2016, a copy of which has been brought on record as Annexure-2 to the writ



application. In his reply, the petitioner accepted entering into a second marriage with one Soni Kumari.

10. Taking into consideration the admission by the petitioner with respect to him having contracted a second marriage together with the ineligibility provided under Rule 11(2) of the SSB Rules, 2009 which provides that any person subject to the Act who contracts or enters into a second marriage during the lifetime of his first spouse shall render himself ineligible for retention in service and may be dismissed, removed or retired from service on ground on unsustainability, the Court finds no illegality in the order impugned and no merit in the instant application.

11. The application is dismissed.

(Partha Sarthy, J)

saauravkrsinha/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	13.2.2026
Transmission Date	NA

