

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(S). No. 2902 of 2013

Prabhu Gope

..... Petitioner

Versus

1. The State of Jharkhand through the Chief Secretary, Ranchi.
2. Director General of Police-cum-Inspector General of Police, Jharkhand, Ranchi.
3. Inspector General of Police, North Chhotanagpur Range, Bokaro.
4. Deputy Inspector General of Police, Coalfields Area, Bokaro.
5. Superintendent of Police, Dhanbad.

..... Respondents

CORAM: THE HON'BLE DR. JUSTICE S.N.PATHAK

For the Petitioner : Mr. Ajit Kumar, Advocate

For the State : Mr. Shubham Mishra, AC to SC (M)

12/ 31.01.2023 Heard the parties.

Petitioner has approached this Court challenging the order of punishment.

Mr. Ajit Kumar, learned counsel appearing for the petitioner very fairly submits that the Revisional Authority has considered the punishment of the petitioner and reduced the same to forfeit the six months' increments. It has been further argued that since petitioner has superannuated on 31.05.2015, he is not pressing the order of punishment as it has become infructuous and redundant in the eyes of law. Learned counsel further argues that petitioner has been denied salary of two months i.e. 06.09.2011 to 06.11.2011, the period when petitioner was put under suspension. Learned counsel further submits that though he has received subsistence allowance but since the order of punishment has been reduced by the Revisional Authority, the petitioner is entitled for full salary of the period of suspension. Learned counsel further submits that suffice it would be if a direction is given to the petitioner to file fresh representation for redressal of his grievances and upon receipt of the same, respondents may be directed to pass reasoned order on his representation within a stipulated period of time.

On the other hand, Mr. Shubham Mishra, learned counsel appearing for the respondents very fairly submits that if this Court directs

the petitioner to file fresh representation before the respondent-authorities, the respondents shall pass reasoned order on the same.

In view of the fair submissions of the learned counsel for the parties, I hereby direct the petitioner to file fresh representation annexing all the relevant documents on which he is relying upon, within a period of two weeks from the date of receipt of a copy of this order and after receiving the same alongwith the copy of this order, the respondents shall consider the same in accordance with law and pass a speaking and reasoned order, within a further period of six weeks, which shall also be communicated to the petitioner.

It goes without saying that if the petitioner is found entitled for the full salary of the period of suspension i.e. from 06.09.2011 to 06.11.2011, the same may be extended to him within a further period of three weeks.

With these observations and directions, this writ petition stands disposed of.

(Dr. S.N. Pathak, J.)