

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4598 of 2015

=====

Arvind Kumar Roy son of late Guddar Roy, resident of Village Sirdilpur,
P.O. Patory, District Smastipur.

.... Petitioner/s

Versus

1.The State of Bihar through P.S. Industry Department, Government of
Bihar, Patna.

2.The Managing Director, Bihar State Handloom and Handicraft
Corporation Ltd., Udyog Bhawan, Patna-4.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : None.

For the Respondent/s : Mr. GP21- Sanjay Pandey & Mr. Vivek
Anand Amritesh AC to GP 21.

=====

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL JUDGMENT

2 25-03-2015 No one appears for the petitioner. Learned
counsel for the Respondents are present.

On perusal of records this Court find that the
writ application is fit to be dismissed both on the ground
of delay as also on merits.

Let it be noted that the petitioner was dismissed
from service of the Bihar State Handloom and
Handicraft Corporation Ltd., way back on 29.04.1989
and this order of punishment dated 29.04.1989 has been
sought to be assailed by filing this writ application on
24.03.2015. Thus the delay of almost 26 years would not

only stare on the face of the petitioner but would itself be fatal.

Even on merits this Court finds that the only ground seeking quashing of the order of punishment dated 29.04.1989, is that subsequently the petitioner by judgment of the trial Court in a criminal case dated 12.06.1998, had earned acquittal. The subsequent judgment of the criminal court can never be a ground to question the order of punishment passed in a departmental proceeding. The ambit of departmental proceeding and the scope of criminal case are entirely different and therefore, even on merits this Court will not find any ground for the petitioner to question his order of punishment passed way back in the year 1989.

Thus, for the reasons indicated above, this writ application fails and is, accordingly, dismissed.

(Mihir Kumar Jha, J)

Ranjan/-

U			
---	--	--	--