

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7130 of 2014

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Ashok Kumar Jha @ Ashok Jha, Son of Late Ambika Jha, Resident of
Village- Sirnia, P.O. Gogri Jamalpur, District- Khagaria

.... Petitioner

Versus

1. The State of Bihar
2. The D.M., Khagaria
3. The Senior Deputy Collector-Cum-Conducting officer, District Relief & Rehabilitation, Branch, Khagaria
4. The Deputy Collector (Establishment), Khagaria
5. The Treasury officer, Khagaria
6. The District Panchayat Raj officer, Khagaria
7. The B.D.O. Cum Presenting officer, Parbatta, Khagaria
8. The B.D.O., Khagaria, District- Khagaria
9. The Panchayat Sachiv, Kulharia Panchayat, Parbatta, District- Khagaria

.... Respondents

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Appearance :

For the Petitioner : Mr. Abdul Mannan Khan
Mr.Binay Kumar

For the Respondents : Mr. U.S.S.Singh, GP-1
Mr.Uday Bhan Singh, AC to GP-1

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 09-01-2015 The petitioner is aggrieved by the order dated 27.07.2013 (Annexure-1) passed by the respondent District Magistrate, Khagaria, whereby the petitioner has been visited with the punishment in exercise of powers under the provisions of Bihar Government Servants (Classification, Control and Appeal) Rules, 2005. Indisputably, the impugned order of punishment is appealable in terms of Rule 23 read with Rule 24 of the Rules, 2005.

In that view of the matter, after some argument, learned counsel appearing on behalf of the petitioner seeks permission to withdraw the present writ petition with a liberty to file an appeal before the appellate authority.

Permission is accorded.

The writ petition stands dismissed as withdrawn with the liberty aforesaid.

If such an appeal is filed, then the appellate authority shall consider the same on its own merit without being prejudiced by the present order.

(Birendra Prasad Verma, J)

Arvind/-

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