

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7697 of 2014

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Rajeev Ranjan, son of late Vijay Kumar Sinha, resident of LIG-465,
Hanuman Nagar, Kankarbagh, P.S.-Patrakar Nagar, District-Patna.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Road Construction Department, Govt. of Bihar, Patna.
2. The Chief Engineer, Kendriya Nirupan Sangathan, Road Construction Department, Bihar, Patna.
3. The Superintendent Engineer, Kendriya Nirupan Sangathan, Road Construction Department, Bihar, Patna.
4. The Deputy Director, Parikshan & Shodh Sansthan, Road Construction Department, Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar
Mr.(Dr.) Kislay
Mr.Amrendra Kumar

For the Respondent/s : Mr. Rajeev Kumar, AC to SC-11

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 27-01-2015 Heard the parties.

The petitioner is aggrieved by the order dated 06.03.2014 (Annexure-15) passed by the respondent Chief Engineer (respondent no.2), whereby, in view of the findings recorded in the departmental proceeding against the petitioner, he has been visited with the punishment of dismissal from service under the provisions of Bihar Government Servants (Classification, Control & Appeal) Rules, 2005 (in short Rules, 2005).

Admittedly, the order impugned is appealable under the provisions of Rules, 2005. The issues of facts, which are sought to be raised by the petitioner in the present writ petition, are required to be gone into by the statutory authority at the first instance. The alternative statutory remedy of appeal available to the petitioner has not been exhausted by him.

In that view of the matter, the present writ petition is dismissed.

However, petitioner shall be at liberty to file an appeal before the appellate authority against the impugned order and, if such an appeal is filed by him within a period of two weeks from today, then the same shall be considered and decided in accordance with law.

(Birendra Prasad Verma, J)

Arvind/-

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