

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16937 of 2014

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Saroj Kumar Son of Sri Kedar Nath Thakur R/o Village - Dharampur, P.S. - Kalyanpur, District - Samastipur.

.... Petitioner/s

Versus

1. The Chief Managing Director Bihar State Power Holding Company Ltd. Vidyut Bhawan, Bailery Road, Patna, P.S. - Kotwali, District - Patna.
2. North Bihar Power Distribution Company Ltd, Patna through its Managing Director, Vidyut Bhawan, Bailey Road, Patna, P.S. - Kotwali, District - Patna.
3. The General Manager (Human Resources/ Administration), North Bihar Power Distribution Company Ltd, Patna, Vidyut Bhawan, Bailery Road, Patna, P.S. - Kotwali, District- Patna.
4. The Deputy General Manager, Revenue, North Bihar Power Distribution Company Ltd, Patna, Vidyut Bhawan, Bailery Road, Patna, P.S. Kotwali, District - Patna.
5. The State of Bihar, through the Principal Secretary, Energy Department Government of Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Dinu Kumar, Advocate. Mr. Shiw Kumar Prabhakar, Advocate. Mr. Rajesh Kr. Singh, Advocate. Mr. Mayank Kumar, Advocate.
For the B.S.E.B	:	Mr. Vinay Kirti Singh, Advocate.
For the Respondent/s	:	Mr. Awanish Nandan Sinha, GP 11.

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL JUDGMENT

3 11-02-2015 Heard learned counsel for the parties.

2. Having regard to the subsequent event taken place during the pendency of this writ application, which is the dismissal order passed against the order of suspension pending disposal of a departmental proceeding and that now the petitioner has already been subjected to a final order of punishment vide office order No. 165 dated 29.01.2015 (Annexure-13 to the writ application), this Court is not inclined to go to the correctness of the said order

because there is a forum of appeal against such order of punishment and the petitioner has definitely not exhausted such remedy of appeal.

3. When such an observation has been made, Mr. Dinu Kumar, learned counsel for the petitioner, seeks permission to withdraw this writ application in order to enable the petitioner to file an appeal within ten days from today and prays for a direction to the Respondents for expeditiously disposal of appeal within a fixed time frame.

4. That being so, this writ application is, accordingly, permitted to be withdrawn with an observation and direction that if the petitioner files an appeal within ten days, not only the issue raised by him in memo of appeal shall be decided by recording a clear finding by the appellate authority, but the appellate authority shall also dispose of the appeal expeditiously preferably within a period of four months from the date of its being filed before him by a reasoned order.

Sujit/-

(Mihir Kumar Jha, J)

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