

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12485 of 2015

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Binod Kumar son of Sri Sahdeo Mahto, resident of village Panda Laxmipur,
Police Station Khajauli.

.... Petitioner/s

Versus

- 1.The State of Bihar.
- 2.The Commissioner, Saran Division at Chapra.
- 3.District Magistrate cum Collector, Saran at Chapra.
- 4.Sub-Divisional Magistrate, Karhorah, District Saran.
- 5.Deputy Collector of Land Reforms,Marhaura, Saran.
- 6.Circle Officer, Tarain, Saran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Raj Shekhar, Adv

For the Respondent/s : Mr. GP24- Anshuman Singh

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 17-08-2015 Heard learned counsel for the parties.

The petitioner admittedly claims to be a clerk in the mufasil establishment and thus when he was aggrieved by the order of his punishment in a departmental proceeding passed by the District Magistrate of Chapra district, being the disciplinary authority and the Commissioner being the appellate authority, he had a statutory remedy of moving before the Member, Board of Revenue by way of revision. This writ application therefore, without exhausting the statutory alternative remedy must be held to be not

maintainable for the present.

As the impugned appellate order of punishment was passed on 15.04.2014, affirming the order of the departmental authority dated 26.02.2014, by filing this writ application on 12.08.2015, this Court would give liberty to the petitioner to file his aforesaid revision application before the Member, Board of Revenue within a period of one month and if he does so, the Member, Board of Revenue shall consider the case of the petitioner on merit without non suiting him on the ground of delay/limitation, if any.

With the aforementioned observation and direction, this application is disposed of.

(Mihir Kumar Jha, J)

Ranjan/-

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