

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.21921 of 2011

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Lalmohan Singh Son of Late Dashrath Singh Resident of Village-Katari,
Police Station-Bikram, District-Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary, Personnel and Administrative Reforms Department, Govt. of Bihar, Patna.
2. The Secretary, Revenue and Land Reforms Department, Bihar, Patna.
3. The District Magistrate-cum-Collector, Patna.
4. The Sub Divisional Officer, Patna Sadar, Patna.
5. The Accountant General, Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner : Mr. Gajanan Arun, Advocate

For the State : Mr. Lilit Kishore, Pr. AAG with
Mr. Ajit Pratap Singh, SC-15

For the Accountant General : Mr. Kumar Priya Ranjan, with
Ms. Gunja, Advocates

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

6 21-12-2015 Heard learned counsel for the parties.

Pursuant to order dated 09.12.2015, the officers
namely Mr. Sanjay Kumar Singh, Dr. N. Saravana Kumar, Mr.

Manish Kumar Verma, Mr. Abhay Kumar Singh, Dr. Pratima and Mr. Sanjay Kumar Agarwal are present in Court.

The Court is not repeating the discussions made in order dated 09.12.2015 which led to a direction for the personal appearance of the officers present today.

At the very outset, Mr. Lalit Kishore, learned Principal Additional Advocate General for the State of Bihar and representing the officers, who have filed separate show cause, submits that initially under a *bona fide* impression that the order of appointment of the petitioner was with prospective effect and the same having been issued in the year 1997 without there being any note before the then District Magistrate-cum-Collector, Patna to take any other view, the order refusing notional benefit to the petitioner with effect from 1st June, 1992 was issued. All the officers have tendered unconditional apology and the author of the original impugned order dated 20.06.2011 has submitted to the Court that it appears to be one of those exceptional cases which was not brought to his notice otherwise he would have at least started some action based on the averments and materials in the writ application. However, he has assured that it has been a learning experience for him and in future he shall be cautious and careful in matters, especially relating to Court proceedings.

The other incumbents have submitted through learned State Counsel that the present matter was never brought to their personal notice and as such they have been made aware only when the order dated 09.12.2015 of the Court was communicated to them.

After having considered the stand of the officers present today, the Court giving them benefit of doubt and accepting the apology consigns the issue with regard to fixing responsibility and taking action against them. The Court is hopeful that they shall be cautious and careful in future with regard to discharge of their duties, moreso concerning proceedings pending before the Courts.

Coming to the merits, the present incumbent, who has filed his show cause, has also annexed copies of various orders which indicate that the grievance of the petitioner stands redressed and actual payment has also been made.

The Court would like to indicate that the present incumbent who took charge of his office on 6th December, 2015 and having passed necessary orders within a week of the order dated 09.12.2015 has shown promptness and the Court appreciates such conduct.

In view of the discussions made above, the grievance

of the petitioner having been redressed, as has been accepted by learned counsel appearing on his behalf, the writ petition stands disposed off.

Personal appearance of the officers present today stand dispensed with.

(Ahsanuddin Amanullah, J)

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