

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7122 of 2014

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Umesh Kumar Sinha, Son of Sri Akhileshwar Prasad Sinha, resident of 16,
Pharmaceutical Colony, Booth Nath Road, P.S. Patrakar Nagar, Town and
District Patna

.... Petitioner

Versus

1. The State of Bihar through Principal Secretary, Food and Consumer Protection Department, Government of Bihar
2. The Additional Secretary, Food and Consumer Protection Department, Government of Bihar
3. The Under Secretary, Food and Consumer Protection Department, Government of Bihar
4. The Divisional Commissioner, Patna Division, Patna
5. The District Magistrate, Buxar
6. The Sub Divisional officer, Dumraon
7. The District Supply officer, Buxar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Subroteswar De

For the Respondent/s : Mr. Apurva Kumar, AC to GA-11

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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 28.03.2014 (Annexure-11) passed by the disciplinary authority, whereby the punishment of dismissal from service has been awarded to the petitioner 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The writ petition stands dismissed as withdrawn with the liberty aforesaid.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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