

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1462 of 2010

IN

Civil Writ Jurisdiction Case No. 2337 of 2008

- =====
1. Indu Ram, wife of Late Ravindra Ram.
 2. Aditya Kumar, son of Late Ravindra Ram.
 3. Shruti Prasad, daughter of Late Ravindra Ram.
- All resident of Plot Plot No.2, Road No.17, Shri Krishna Nagar, P.O.-G.P.O.,
District-Patna-800001.

.... Petitioners-Appellants.

Versus

1. The State of Bihar.
2. The Secretary, Department of Human Resources and Development,
Government of Bihar, Patna.
3. The Director (Administration)-cum-Joint Secretary, Human Resources
Development Department, Bihar, Patna.
4. The Bihar Public Service Commission through its Chairman, Bailey Road,
Patna.

.... Respondents-Respondents.

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH

and

HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH)

Date: 11-05-2015

The original appellant was the writ petitioner before this Court. He had challenged his punishment of compulsory retirement as enforced by the State after disciplinary proceeding. The Writ Court directed him, as he was primarily aggrieved by the quantum of punishment, to represent before the authorities, who would consider the same. The Writ Court, however, did not agree in interfering into the matter of departmental proceeding or punishment. The writ petitioner has filed this appeal taking the ground that as both, he and

his wife, were ill, he could not represent his case before the authorities and, as such, this Court should decide the matter.

2. During the pendency of this Intra Court Appeal, the appellant died and has been substituted by his wife, son and daughter. We have considered the matter and we find that the learned Single Judge was not in error in not interfering into the matter of punishment as the State has considered all aspects of the matter. We also agree that one opportunity was given to the original appellant to represent before the authorities for reducing the punishment which only authorities themselves should have done. That was also not availed by the appellant.

3. In that view of the matter, we find no merit in this appeal, which is, accordingly, dismissed.

(Navaniti Prasad Singh, J)

(Rajendra Kumar Mishra, J)

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