

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15811 of 2007

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Bharat Rai, son of late Gena Rai, resident of Village Bishwanathpur, P.S.
Dumra, Dist. Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Commissioner, Tirhut Division, Muzaffarpur.
3. Collector, Sitamarhi.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh

For the Respondent/s : Mr. Rajesh Kr. 2(GP19)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

6 03-08-2015

Learned counsel for the petitioner, at the outset,

wants to withdraw this writ application in order to enable the petitioner to move Member Board of Revenue by way of revision against the appellate order passed by the Commissioner reducing punishment of stoppage of two increments to one increment.

In view of the fact that there is a remedy under the Board Miscellaneous Rules, such prayer of the petitioner is allowed and keeping in view that the order of punishment affirmed by the appellate authority dated 26.12.2006 has been made subject matter of this writ application filed on 4.12.2007, while this Court is not inclined to straightway condone the delay that would now taken place in filing a revision petition before the Member Board of Revenue but, then, it will be open for the petitioner to explain the delay by placing circumstances and if the Member Board of

Revenue is satisfied with those circumstances, he will dispose of the case of the petitioner on merit after condoning the delay.

With the aforementioned observation, this application is disposed of as withdrawn.

(Mihir Kumar Jha, J)

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