

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7053 of 2008

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Jaleshwar Prasad Yadav, son of Late Kawal Yadav, resident of village –
Ramjanipur, P.O. – Kabilganj, District – Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar
2. The State Election Commissioner, Bihar, Patna
3. The Deputy Secretary, Personnel and Administrative Reforms Department,
Bihar, Patna
4. The District Magistrate, Bhagalpur
5. The Deputy Director, Panchayat Raj Bhagalpur Division, Bhagalpur
6. The Block Development Officer, Kahalgaon, District – Bhagalpur
7. The District Election (Panchayat) Officer, Bhagalpur
8. The Deputy Development Commissioner, Bhagalpur, District – Bhagalpur
9. The District Panchayat Raj Officer, Bhagalpur
10. The District Welfare Officer, Bhagalpur
11. The SDO, Kahalgaon, Bhagalpur
12. The Executive Magistrate, Kahalgaon, District – Bhagalpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Kumar Jain
Mr. Achuta Nand Sinha
For the Respondent/s : Mr. Sudhir Kumar Singh
Mr. Kumar Brajendra Nath
For the Election Commission: Mr. Sanjeev Nikesh

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 03-08-2015

03.08.2015

Heard learned counsel for the parties.

The departmental proceeding against the petitioner culminated into an order of punishment, dated 22.02.2013, which is Annexure-18, annexed with reply to the counter affidavit. Two increments with cumulative effect were ordered to be withheld, which is a major punishment.

Since the order of punishment does not

indicate that the petitioner would not be entitled to payment of salary for the period of suspension, a direction is issued upon the District Magistrate, Bhagalpur that salary of the petitioner for the period 14.06.2007 to 21.08.2007 would be required to be paid, if not already paid to the petitioner. Exercise must be done within a period of three months from the date of production / communication of a copy of this order, if there is no other legal impediment in the way.

Writ application stands disposed off with observation / direction as above.

(Ajay Kumar Tripathi, J.)

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