

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1344 of 2012

IN

Civil Writ Jurisdiction Case No. 20419 of 2010

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Raghunandan Prasad Singh S/O Late Bhikha Prasad Singh R/O Village- Kadawa
Thakurjee, Kachahari Tola, Police Station- Navagachia, District- Bhagalpur

.... Appellant/s

Versus

1. The State Of Bihar
2. The District Magistrate, Bhagalpur

.... Respondent/s

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For the Appellant/s : Mr Pratap Sharma, Advocate

For the State : Mr Sandeep Kumar, GA VIII

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CORAM: HON'BLE MR JUSTICE NAVANITI PRASAD SINGH

And

HON'BLE MR JUSTICE JITENDRA MOHAN SHARMA

ORAL JUDGMENT

(Per: HONOURABLE MR JUSTICE NAVANITI PRASAD SINGH)

Date: 27-03-2015

Heard the learned counsel for the appellant and the State.

2 Having perused the judgment under appeal, we find no infirmity therein. The prayer of the writ petitioner was that the criminal case against him having been quashed by the High Court, the departmental proceedings should be set aside.

3 In our view, the law is otherwise and not as sought to be propounded by the appellant. Departmental proceedings are civil proceedings which are based on preponderance of civil liabilities whereas criminal proceedings are proving of charges beyond

reasonable doubt.

4 That being so, we are unable to persuade ourselves to disagree with the judgment under appeal. The appeal is, accordingly, dismissed.

5 However, the authorities are directed to conclude the departmental proceedings if not already concluded within three months from today failing which this Court will take serious view of the matter.

6 This observation has been given in view of the fact that the departmental proceedings are pending from 2006 and we are in 2015.

(Navaniti Prasad Singh, J)

M.E.H./-

(Jitendra Mohan Sharma, J)

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