

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9259 of 2010

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Md. Wasimuddin S/O Late Salimudin R/O Vill./Mohalla- Mullahaleen
Khan, P.O.- Lalbagh, P.S.- Laheria Sarai, Distt.- Darbhanga

.... Petitioner/s

Versus

1. The State Of Bihar Through The Industrial Development Commissioner Industries Department, Bihar At New Secretariat, Patna
2. The Director, Industries Department, Govt. Of Bihar, Patna
3. The Chairman Bihar Industrial Area Development Authority At Udayog Bhawan (East Of Gandhi Maidan), Patna
4. The Managing Director Bihar Industrial Area Development Authority At Udyog Bhawan (East Of Gandhi Maidan), Patna
5. The Secretary Bihar Industrial Area Development Authority At Udyog Bhawan (East Of Gandhi Maidan), Patna
6. The Executive Director Bihar Industrial Area Development Authority, Regional Office, Bella At Muzaffarpur
7. Proceeding Officer Cum Incharge Land Acquisition Bihar Industrial Area Development Authority At Udayog Bhawan (East Of Gandhi Maidan), Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mahesh Prasad Singh, Adv.

For the Respondent/s : Mr. A.K. Jha, (GA2)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 18-05-2015

Heard learned counsel for the parties.

The following relief has been prayed by the petitioner
in this writ application:-

"1. ----- direction upon respondent against the order
of Managing Director Bihar Industrial Area
Development Authority dt. 18.06.2009, Memo no.
2645/4/BIADA/143/Estt/07 whereby Departmental
proceeding afresh has been initiated against the
petitioner."

This Court, however, on being informed that during



pendency of this writ application, not only the departmental proceeding was concluded but, even an order of punishment was passed on 14.2.2012 which was made subject matter of CWJC No. 3394 of 2014 and that has been dismissed by an order dated 17.3.2015, is not inclined to now go into the correctness of the impugned order dated 18.6.2009 by which only such departmental proceeding was initiated. In fact, such impugned order dated 18.6.2009 has already merged with the order of punishment of the petitioner dated 14.2.2012 which stands affirmed by this Court in the aforesaid order dated 17.3.2015 in CWJC No. 3394 of 2014.

The submission of the learned counsel for the petitioner that the petitioner also has a grievance with regard to non-payment of salary from the month of June, 2007 or that he was not paid subsistence allowance during the period of suspension or that no evidence was brought in course of departmental proceeding are definitely not such relief which can emanate from the relief sought in this writ application.

This writ application has in fact become infructuous and is, accordingly, dismissed.

(Mihir Kumar Jha, J)

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