

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 15465 of 2006

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Om Prakash Ram, son of Sri Ganga Ram Harijan, resident of Village and
P.O. – Pakwalia, Police Station – Daraunda, District Siwan.

.... Petitioner

Versus

1. The State of Bihar
2. The District Magistrate, Siwan.
3. The Deputy Development Commissioner, Siwan.
4. The District Panchayat Officer, Siwan.
5. The Sub-Divisional Officer, Maharajganj cum Conducting Officer,
District Siwan.
6. The Block Development Officer, Goraya Kothi, District Siwan.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Jitendra Kr.Roy

For the Respondent/s : AC to GA-10

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 04-02-2015 Heard Sri Jitendra Kumar Roy, learned counsel for
the petitioner and learned A.C. to Govt. Advocate – 10.

The petitioner, invoking writ jurisdiction of this
Court under Article 226 of the Constitution of India, has prayed
for quashing of a show cause notice i.e. **Annexure ‘1’** to the writ
petition, contained in Memo No. 83 dated 28-09-2006.

Learned counsel for the petitioner submits that
against the petitioner, departmental proceeding was initiated and
after conducting enquiry, enquiry officer exonerated the petitioner
from the charge. Even then, the disciplinary authority on a
different charge has issued show cause notice i.e. **Annexure ‘1’** to
the writ petition. According to learned counsel for the petitioner,

it is an example of illegal action of the authority concerned. At the time of argument, it was accepted by the learned counsel for the petitioner that the petitioner, on the basis of show cause/2nd show cause notice i.e. **Annexure '1'**, filed its reply and thereafter, the disciplinary authority has already passed a punishment order.

Since final order in the departmental proceeding has already been passed, the Court is of the considered opinion that the issue raised in the present writ petition has become infructuous.

The writ petition stands dismissed as same has become infructuous.

It is made clear that if the petitioner feels aggrieved with the final order of the authority concerned, he would be at liberty to avail appropriate remedy.

(Rakesh Kumar, J.)

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