

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12957 of 2015

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Mahesh Prasad, son of late Karu Mahto, resident of Village- Itasang P.S.-
Rahui, Dist- Nalanda, at Present posted in the office of Jila Pratirkshan
Padadhikari, Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary personnel Department,
Government of Bihar, Patna.
2. The District Magistrate at Nalanda.
3. The Civil Surgeon cum Chief Medical Officer at Nalanda.
4. The Additional Chief Medical Officer cum conducting Officer at
Nalanda.
5. The Sub Divisional Officer Rajgir, Nalanda.
6. The Presentation Officer-cum-Deputy Collector Land Reforms,
Rajgir, Nalanda.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rathore Vasundhara, Advocate.

For the Respondent/s : Mr. Ram Balak Mahto, A.G.

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 20-08-2015

Heard learned counsel for the parties.

Having regard to the fact that the petitioner is aggrieved by an order of punishment dated 29.08.2011 and he claims that he had filed an appeal before the Director-in-Chief, Health Services on 06.02.2012, this Court can only observe that the petitioner should pursue his remedy against the order of punishment by way of appeal in terms of Bihar Government Servant (Classification, Control and Appeal) Rules, 2005 which lays down that against an order of punishment in a departmental proceeding, an appeal should be filed before the appellate

authority.

This Court would also make an observation that if such an appeal was actually filed by the petitioner before the Director-in-chief, Health Services, as is claimed in this writ application, the appellate authority may dispose of the appeal, if it has not been done as yet, within a period of four months from the date of receipt of copy of this order.

With the aforementioned observation and direction, this writ application is disposed of.

(Mihir Kumar Jha, J)

Sujit/-

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