

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17481 of 2014

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1. Anil Kumar Son of Late Rajnath Ram, Resident of village- Muria, P.S.- Pali, District- Patna at presented posted as Peon, Central Building Division, Building Construction Department and Deputed in the office of Executive Engineer, Construction Division No. 2, Patna and presently attached as Driver with Chief Engineer, South Bihar Circle as Driver

.... Petitioner/s

Versus

1. The State of Bihar
2. The Secretary, Building Construction Department, Government of Bihar, Vishwasharaiya Bhawan, Patna
3. The Under Secretary to the Government, Department of Building Construction, Government of Bihar, Vishwasharaiya Bhawan, Patna
4. The Incharge Chief Engineer (South), Building Construction Department, Vishwasharaiya Bhawan, Patna
5. The Superintending Engineer, South Bihar Circle, Building Construction Department, Government of Bihar, Vishwashariya Bhawan, Patna
6. The Executive Engineer, Construction (Sanrachna) Division- 2, Building Construction Department, Patna
7. The Executive Engineer, Central Building Division, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bishnu Kant Dubey

For the Respondent/s : Mr. Shiv Kumar, AC to GA 7

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 26-03-2015

The Court is not in a position to appreciate the explanation offered by the petitioner with regard to his absence or refusal to respond to the superiors. These are matters which can be best examined and the bona fide of the petitioner or explanation can best be tested by the immediate superior or the authority under whom he has been deputed. Petitioner has rushed to the Court after a show cause was called for in the garb of not being paid salary. The

petitioner will be well advised to file his show cause before the competent authority in terms of Annexure- 12, who will be obliged to take a decision on the explanation offered by the petitioner within a period of eight weeks thereof. The outcome of such a decision will govern the issue of the petitioner.

Writ is dismissed otherwise.

(Ajay Kumar Tripathi, J)

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