

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8628 of 2015

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Ramanuj Prasad, son of late Kameshwar Singh, at present working as In-charge S.D.O. Bettiah, Subdivision-2, Gandak Command Area Development Authority, P.S. Bettiah Sadar, District West Champaran

.... Petitioner

Versus

1. The State of Bihar through Principal Secretary, Department of water Resources, Govt. of Bihar, Patna
2. The Deputy Secretary, Department of Water Resources, Govt. of Bihar, Patna
3. The Gandak Command Area Development Authority through its Chairman, Gandak Command Area Development Authority, Muzaffarpur
4. The Regional Development Commissioner cum Chairman, Gandak Command Area Development Authority, Muzaffarpur
5. The Secretary, Gandak Command Area Development Authority, Muzaffarpur
6. The Engineer in Chief (Central) Department of Water Resources, Govt. of Bihar, Patna
7. The Superintending Engineer II (Circle) cum Conducting Officer, Gandak Cada, Muzaffarpur

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Shiv Kumar

For the Respondent/s : Mr. Manoj Kr. Ambastha

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 26-06-2015 Heard learned counsel for the parties.

Having regard to the fact that the impugned order assailed in this writ petition is appealable in terms of the Service Regulation of Gandak Command Area Development Authority, this writ application seems to be premature, inasmuch as it is only the appellate order which will be given finality to the decision taken by the disciplinary authority.

That being so, while this writ application is not

entertained for the present but then keeping in view that the petitioner has filed this writ application without exhausting statutory alternative remedy of appeal and is now inclined to file his appeal after withdrawing of this writ application, it is hereby directed that if the petitioner shall prefer an appeal within a period of 30 days from today, such appeal of the petitioner shall be disposed of by the appellate authority on merit without non-suiting him on the ground of delay/ limitation.

With the aforementioned observation, this application is disposed of.

surendra/-

(Mihir Kumar Jha, J)

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