

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2361 of 2015

Swatantra Kumar, S/o Late Bachu Singh, Ex Additional Commissioner, Central Excise, Patna, Resident of 44-A, Akashvani Road, Opposite Vasshal Kamla Apartment, Khajpura, Raza Bazar, patna-800014.

.... Petitioner/s

Versus

1. The Union of India through the Secretary (Revenue), Government of India, Ministry of Finance, Department of Revenue, New Delhi.
2. The Chairman, Central Board of Excise and Customs, Ministry of Finance, Government of India, North Block, New Delhi.
3. The Chief Commissioner, Central Excise AND Service Tax, Patna Zone, Patna (Bihar).
4. The Commissioner, Central Excise AND Service Tax, Revenue Building, Patna-800001 (Bihar).
5. The Additional Director General (Vigilance) Office of the Director General of Vigilance, Customs and Central Excise, Kautilya Marg, Chanakya Puri, New Delhi-110021.

.... Respondent/s

Appearance :

For the Petitioners : Mr. M. P. Dixit, Advocate
Mr. Sanjay Kumar Chaubey, Advocate
Mr. S. K. Dixit, Advocate
Mr. Shailendra Kumar, Advocate
Mr. Sunil Kumar, Advocate

For the Respondents : Mrs. Nivedita Nirvikar, Advocate

CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

And

HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

Date: 30-06-2016

The challenge in the present petition is to an order passed by the Central Administrative Tribunal, Patna Bench, Patna (hereinafter referred to as 'the Tribunal') on 23rd May, 2014 whereby an Original Application filed by the petitioner challenging withholding of gratuity pending disciplinary/criminal proceedings was dismissed.

Similar issue came up for hearing before this Court in CWJC No.12871 of 2015. The identical challenge remained unsuccessful vide order dated 28th June, 2016. For the reasons recorded therein, we do not find any merit in the present writ petition as well.

Consequently, the present petition is dismissed for the reasons recorded in CWJC No.12871 of 2015.

(Hemant Gupta, J.)

(Ahsanuddin Amanullah, J.)

Sunil/-

AFR/NAFR	
CAV DATE	N. A.
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