

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1821 of 2011

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Ritesh Chandra Sinha, S/O Kailash Chandra Sinha, R/O Town Thana Road, P.S.-
Town Thana, District-Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary.
2. Secretary, Road Construction Department, Visheshwaraiya Bhawan, Bailey Road, Patna.
3. Additional Secretary, Road Construction Department, Visheshwaraiya Bhawan, Bailey Road, Patna.
4. Joint Secretary, Road Construction Department, Visheshwaraiya Bhawan, Bailey Road, Patna.
5. Superintending Engineer, Road Division, Road Construction Department, Darbhanga.
6. Executive Engineer, Road Construction Department, Road Sub Division, Madhubani.

.... Respondent/s

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Appearance :

For the Petitioner/s : None

For the Respondent/s : Mr. Sushil Kumar, GP-22

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 22-11-2016

None appears on behalf of the petitioner.

Mr. Sushil Kumar, learned Government Pleader No.22

appears for the State and submits that the petitioner has been visited with a minor penalty for the charges levelled against him of trying to provide benefit to a contractor in the construction of a road. He refers to the show cause served on the petitioner on 24.9.2009, a copy of which is present at Annexure-11 to submit that the charges were serious and the petitioner himself while filing his reply vide Annexure-12, has while accepting his mistake, submitted that the error did not cause any financial loss. He submits that it is in consideration of the circumstances where the allegation of trying to

provide benefit to a contractor, was practically accepted by the petitioner that the State Government taking a lenient view of the matter has imposed a minor penalty of withholding of three increments with non-cumulative effect vide order dated 9.6.2010 which order has already taken its effect during the pendency of the writ petition.

I have heard Mr. Sushil Kumar, learned Government Pleader No.22 and perused the records.

In absence of the petitioner and taking into consideration the charges levelled against the petitioner as well as the fact that the petitioner has practically accepted his guilt which error could have been rather serious, I am of the opinion that the minor punishment so imposed on the petitioner does not require any interference.

The writ petition is disposed of.

(Jyoti Saran, J)

SKPathak/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	26-11-2016
Transmission Date	NA