

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13472 of 2016

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1. Shwetambar Jha, Son of Late Digambar Jha, R/o Village- Koilakh, P.S.-
Rajnagar, District- Madhubani at present as peon (Parichari) Circle Office- Nirmali
Distt- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Chief Secretary, Govt. of Bihar, Patna.
3. The District Collector, Supaul.
4. The Deputy Collector Land Reforms Birpur, Supaul.
5. The Senior Deputy Collector cum Conducting Officer Supaul.
6. The District Establishment Deputy Collector, Supaul.
7. The Sub Divisional Officer, Birpur Supaul.
8. The Circle Officer Pratapganj, Birpur, Dist- Supaul.
9. The Block Development Officer Nirmali Dist- Supaul.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Maya Shankar Mishra, Adv.

For the Respondent/s : Mr. Ram Balak Mahto- AG

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 06-12-2016

Re: C.W.J.C. No. 13472 of 2016

With

I.A. No. 7950 of 2016

Let the Commissioner, Koshi Division be added as respondent
No.10 in the office copy as well as in the copy of the State counsel
during the course of the day.

Heard Mr. Maya Shankar Mishra, learned counsel for the
petitioner and Mr. Vikash Kumar A.C. to Advocate General.

This writ petition was filed praying for quashing the initiation
of a departmental proceeding against the petitioner upon service of
chargesheet dated 22.4.2015, a copy of which is impugned at
Annexure-5 to the writ petition. During the pendency of the writ



petition, the disciplinary proceeding so initiated has been disposed of imposing a punishment of compulsory retirement, vide order passed on 8.9.2016, a copy of which has been placed on record vide Annexure-10 to I.A.No.7950 of 2016. It is fairly accepted by Mr. Mishra learned counsel for the petitioner that the petitioner has preferred a statutory appeal against the order of compulsory retirement and which is pending consideration before the Commissioner, Koshi Division. He thus prays for disposal of the writ petition with appropriate direction to the Commissioner, Koshi Division to consider and dispose of the appeal expeditiously.

Having heard learned counsel for the parties and considering the developments which has taken place during the pendency of the writ petition, I deem it fit and proper to dispose of this writ petition with direction to the Commissioner, Koshi Division to consider the statutory appeal preferred by the petitioner against his order of compulsory retirement and dispose of the same after opportunity of hearing to the petitioner expeditiously and preferably within three months from the date of receipt /production of a copy of this order.

The writ petition and the interlocutory application are disposed of.

Bibhash/-

(Jyoti Saran, J)

NAFR	
CAV DATE	
Uploading Date	10.12.16
Transmission Date	

