

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.443 of 2007

IN

Civil Writ Jurisdiction Case No. 12484 of 2005

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Sri Kaushlendra Prasad, son of late Mahabir Mahto, resident of village
– Deoley, P.O. Dhewesa, P.S. and District – Sheikhpura.

.... Appellant

Versus

1. The State of Bihar
2. The Secretary cum Commissioner, Revenue Department,
Government of Bihar, Patna.
3. The District Magistrate cum Collector, Purnea.
4. The Sub-Divisional Officer, Dhamdaha, Purnea
5. The District Panchayat Raj Officer, Purnea
6. The In-Charge Deputy Collector, District Record Room, Purnea.
7. The Officer-in-Charge, District General Section, Purnea.
8. The Deputy Development Commissioner, Purnea.
9. The Treasury Officer, Purnea.

.... Respondents

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH

And

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH)

Date: 07-04-2016

In spite of repeated calls, no one appears on behalf of the appellant. It appears that, earlier also, on 02.05.2011, this appeal was dismissed for non-prosecution. It was then restored vide court's order dated 06.02.2012 passed in M.J.C. No. 3549/2011. Again, it was dismissed for non-prosecution on 01.07.2014, but again, it was restored vide court's order dated 22.10.2014 passed in M.J.C. No. 2860/2014. Again, it was called for hearing.

Today, no one appears on behalf of the

appellant, we, accordingly, should dismiss the appeal for non-prosecution.

While doing so, we may also note that the appellant was unsuccessful writ petitioner. He had been dismissed from service consequent to departmental proceeding. The misconduct, as alleged, was being officially entrusted with the charge of issuing certified copies in the Registry Office at Purnea, he carried out unauthorized interpolation in the documents in his custody. While granting leave to appeal, this court had issued a limited rule in respect of question of sentence alone.

In the facts and circumstances noted above, the delinquent act is very serious of interpolation in the document of the Registry Office. We are not inclined to reconsider the matter of punishment. This appeal is, accordingly, dismissed.

(Navaniti Prasad Singh, J.)

(Nilu Agrawal, J.)

Rajeev/-

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