

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.333 of 2017

=====

Shambhu Nath Singh S/o Late Bishun Dayal Singh, R/o At+ P.O. Chaita,
P.S. Parkaridayal, District- East Champaran, A/o posted as Accounts
Officer, Central Workshop, Bihar State Road Transport Corporation,
Phulwari Sarif, Patna.

.... Petitioner/s

Versus

1. The Bihar State Road transport Corporation, through the Administrator,
Bihar State Road Transport Corporation, Pariwahan Bhawan, Birchand
Patel Road, Patna.
2. The Administrator, Bihar State Road Transport Corporation, Pariwahan
Bhawan, Birchand Patel Road, Patna.
3. The Chief of Administration, Bihar State Road Transport Corporation,
Pariwahan Bhawan, Birchand Patel Road, Patna.
4. The Financial Advisor cum Chief Accounts Officer, Bihar State Road
Transport Corporation, Pariwahan Bhawan, Birchand Patel Road, Patna.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Jai Prakash Verma, Adv.

For the Respondent/s : Mr. Prabhat Kumar Verma, Sr. Adv.

=====

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

7 08-05-2017 Heard Mr. Jai Prakash Verma, learned counsel for the
petitioner and Mr. P.K. Verma learned Senior counsel appearing
for the Corporation.

The petitioner is aggrieved by the order bearing Memo
No.3493 dated 04.10.2016 whereby a second round proceeding
was initiated against the petitioner for the alleged charges framed
against him vide Memo No. 3092 dated 26.6.2012, a copy of
which is impugned at Annexure 4 to the writ petition. The said
charges were translated in the departmental proceedings in which
final report was submitted disproving the charges, a copy of which
is present at Annexure-12. Not being satisfied that the disciplinary



authority while disagreeing with the opinion of the Enquiry Officer issued another chargesheet vide Annexure-13 in the form of show cause and which has been questioned before this Court.

A counter affidavit is filed and Annexure-B is an order of Administrator bearing memo no. 1091 dated 31.3.2017 which after taking notice of the fact that the petitioner has been dismissed from service vide office order No. 298 dated 27.1.2017 in connection with some other charges, has stayed the proceedings so initiated vide memo no. 3493/Patna dated 04.10.2016, impugned herein.

It is stated at the bar that the petitioner would have superannuated in normal course on 31.1.2017 and three days prior thereto, he has dismissed from service vide order dated 27.1.2017.

In view of the matter where the proceedings so initiated has been kept in abeyance and the petitioner has also crossed the date of superannuation, the issue raised, as of today, has been rendered academic and the writ petition is disposed of accordingly leaving it open for the petitioner to approach this Court in case any occasion would so arise in future.

Bibhash/-

(Jyoti Saran, J)

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	15.05.2017
Transmission Date	NA

