

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.995 of 2014
Arising out of
Civil Writ Jurisdiction Case No. 8800 of 2013**

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Madhav Kumar Jha, Son of Late Anant Jha, Resident of village - Ward No. 9, P.S.
Araria, District - Araria

.... Appellant/s

Versus

1. The State of Bihar
2. The District Magistrate, Araria
3. The Deputy Collector, Establishment, Araria
4. The Additional Collector, Araria
5. The District Transport Officer, Araria

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Anil Prasad Singh, Advocate
For the Respondent/s :

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 24-04-2017

Seeking exception to an order dated 06.05.2014
passed by the learned Writ Court in C.W.J.C. No. 8800 of 2013
this appeal has been filed under Clause 10 of the Letters Patent.

2. Appellant was working as Assistant in the



Transport Department and finding him to have committed various irregularities, departmental proceedings were held and based on the finding recorded in the departmental proceedings he has been punished with stoppage of two increments with cumulative effect. Challenge to the same having been failed before the Writ Court, this appeal under Clause 10 of the Letters Patent has been filed.

3. Even though learned counsel for the appellant tried to argue that the charges are not proved and the allegations are not correct, on a perusal of the findings recorded by the Inquiry Officer vide Annexure-10 available in the record of the writ petition, we find that the Inquiry Officer has conducted a proper inquiry in which opportunity of defence was given to the appellant. Appellant participated in the inquiry and there is nothing on record to indicate that the departmental inquiry was conducted in contravention of statutory rule or the principles of natural justice were violated.

4. Once on the basis of a properly conducted departmental inquiry punishment of stoppage of two increments has been imposed upon the appellant, we see no reason to make



any indulgence into the matter. The learned Writ Court has considered all these aspects of the matter and thereafter recorded his finding. We find no error in the same warranting reconsideration.

5. The Letters Patent Appeal is dismissed.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	28.04.2017
Transmission Date	

