

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3452 of 2017

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Lal Bahadur Prasad, Son of Late Shiv Tahal Bhagat, Resident of Village Govindpur, P.O.- Patwalia, P.S. Darounda in the District of Siwan.

.... Petitioner

Versus

1. The Union of India through the Secretary-cum-Director General, Department of Posts, Dak Bhawan, New Delhi.
2. The Chief Postmaster General, Bihar Circle, Patna.
3. The Postmaster General, Northern Region, Muzaffarpur.
4. The Director of Postal Services, Northern Region, Muzaffarpur.
5. The Superintendent of Post Offices, Siwan Division, Siwan.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Rajendra Narayan, Sr. Advocate
Mr. Braj Nandan Kumar Tiwary, Advocate
For the Respondent/s : Mr. Sanjay Kumar, ASG

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 10-04-2017

This Court can not be made to jump to a conclusion even before the departmental proceeding is initiated and taken to its logical end, by interfering at this stage.

In the opinion of the Court, the Tribunal has committed no error by not interfering with the initiation of the departmental proceeding and rejecting the OA.

The prayer of the petitioner both before the Tribunal and before this Court is only to pre-empt the departmental proceeding and derail it at the very threshold, which is not required to be done.



The impugned order dated 16th December, 2015, passed in OA 721/2014 is not required to be interfered with. However, the Court can only observe that it will be in the interest of the respondents to expedite the departmental proceeding and it will be in the interest of the petitioner to cooperate so that an early conclusion is reached and the matter does not drag on for years together, which will surely delay the settlement of his post retiral benefits unnecessarily.

Writ is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Rajesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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