

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1316 of 2015

In
Civil Writ Jurisdiction Case No. 18021 of 2008

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Arvindji, son of Chandra Shekhar Tiwari, deceased permanent resident of village Sherpur, P.O. Muzaffarpur, P.S. Sadar Muzaffarpur, District Muzaffarpur, at present resident of village Dighi Kalan, East Tola, P.O. Dighi Kalan, P.S. Hazipur Sadar, District Vaishali and posted as Adhinayak Lipic, Bihar Home guard at Bhagalpur.

.... Appellant/s

Versus

1. The State of Bihar, through the Secretary, Department of Home (Special), Government of Bihar, Old Secretariat, Patna.
2. The Director General, Home guard, Bihar, Patna.
3. The Additional Commandant General, Home guard, Bihar, Patna.
4. The Deputy Commandant General, Homeguard, Bihar, Patna.
5. The Commandant, Home guard, Bihar Central Training Institute, Bihta, District- Patna.
6. The Commandant, Home guard, Patna.
7. Shri Ramjag Ram, Commandant, Home guard, Patna.
8. The District Commandant, Home guard, Gaya.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Bireshwar Prasad Sinha, Advocate
For the Respondent/s : Mr. Aag6- Anjani Kumar

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 09-08-2017

Petitioner was imposed with a punishment of black-mark and imposition of the second punishment of withholding of salary except for subsistence allowance during the period of suspension under the provisions of Rule 97(3) of the Bihar Service Code. It was found that the petitioner was assigned the duty of preparation of seniority list along with Assistant Shri Ranjan Kumar Verma and while preparing the seniority list, the petitioner



ratified the seniority list by making various entries granting benefit for himself in the seniority list.

We find that the learned writ Court has already set aside the imposition of the second punishment of withholding of salary except for subsistence allowance during the period of suspension. We find no merit warranting indulgence into the matter.

The appeal stands disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

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