

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.3259 of 2013

Arising out of

Civil Writ Jurisdiction Case No. 18519 of 2011

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Arun Kant Sharan, S/O Late Manmohani Kant Sharan, Resident Of Mohalla-
Anugrah Narayan Road, Kadamkuan, P.S- Kadamkuan, District- Patna.

.... Petitioner

Versus

1. A.K Sinha, The Chief Secretary, Govt. of Bihar, represented the State Govt.
2. Mr. D.S. Gangwar, The Principal Secretary, General Administration, Govt. of Bihar, Patna.
3. Mr. Atul Kumar Sinha, The Special Secretary, General Administration Department, Govt. of Bihar, Patna.

.... Opposite Parties.

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Appearance:

For the Petitioner/s : Mr. S.K. Sharan, Advocate.

For the Respondent/s : Mr. Amish Kumar, AC to AAG 8.

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date: 16-03-2017

The only order passed in the Writ Petition is that in view of the pendency of the departmental proceedings, the sealed cover procedure and the recommendation of the Departmental Promotion Committee (DPC) should be kept in a sealed cover.

2. From the show cause filed by the respondent, it is seen that the sealed cover procedure was held but subsequently the petitioner has been punished with the punishment of denying promotion vide Annexure 'B' to the show cause.

3. Once the departmental enquiry has culminated into imposition of punishment, at this stage, until and unless the punishment order is set aside in accordance with law in a due process



initiated by the petitioner, no further indulgence into the matter is called for. Accordingly, the application stands disposed of.

4. However, liberty shall be available to the petitioner after the proceedings pending, challenging the punishment order, is decided in his favour.

(Rajendra Menon, CJ)

Dilip, A.R.

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

