

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1142 of 2015

In
Civil Writ Jurisdiction Case No. 1802 of 2014

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1. Kameshwar Jha son of Late Bisheshwar Jha Resident of Village Singhia,
P.O. and Police Station Singhia, District- Samastipur.

.... Appellant/s

Versus

1. The State of Bihar
2. The Collector-cum-District Magistrate, Samastipur, District Samastipur.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Santosh Kumar Verma

For the Respondent/s : Gyan Shankar, A.C. to G.P.-2.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR

UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 21-08-2017 Seeking exception to Order dated 13.03.2015 passed by the writ Court in C.W.J.C. No.1802 of 2014, this Appeal has been filed under Clause 10 of the Letters Patent and only grievance of the petitioner is that for the period from 01.09.92 to 16.06.1995 salary has not been paid to the petitioner.

We find that after departmental enquiry for the aforesaid period, the petitioner has been punished initially treating the punishment to contrary to law, the matter was remanded back to the disciplinary authority and the disciplinary authority has interfered into the matter and treating the petitioner to be unauthorizedly absent for the period in question has modified the



punishment and has imposed upon him punishment of forfeiture of salary for the aforesaid period and confirmation of the suspension and treating the period as unauthorized absence except for payment of salary.

We see no error in the aforesaid action taken by the departmental authority where they have found that the petitioner is unauthorizedly absence for the said period and he has not performed his duty.

In view of the above, we see no reason to make any indulgence into the matter. The application stands dismissed.

(Rajendra Menon, CJ)

Sanjeev/-

(Anil Kumar Upadhyay, J)

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