

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.403 of 2016

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1. Umesh Prasad Yadav Son of Late Lattu Prasad Yadav, resident of village-
Raisar, P.O.- Basudeopur, P.S. Kotwali, District Munger at present posted at
Commissioner Office Munger as an Assistant

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, General Administrative
Department, Old Secretariat, Patna
2. The Chairman cum Member, Board of Revenue Old Secretariat, Bihar, Patna
3. The Commissioner, Munger Division, Munger

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Jha, Adv.

For the Respondent/s : Mr. Prabhu Nath Sharma, A.C. to A.G.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 17-10-2017

Heard Mr. Pankaj Kumar Singh, learned counsel for the
petitioner and Mr. Prabhu Nath Sharma, A.C. to A.G.

The petitioner is aggrieved by the order bearing Memo No.1580
dated 25.04.2013 passed by the Commissioner, Munger Division
whereby he has been visited with the punishment of stoppage of two
annual increments with non cumulative effect under the provisions of
Rule 14(v) of the Bihar Government Servant (Classification, Control
and Appeal) Rules, 2005 (hereinafter referred to as 'the Rules') as
amended from time to time. The order has been affirmed in appeal
when the appeal of the petitioner has been dismissed by the Board of
Revenue vide order passed on 19.06.2015 impugned at Annexure-8.



I have heard learned counsel for the parties and I have perused the records.

The matter does not require too much examination as the situation stands explained from the show cause notice itself whereunder the petitioner an Assistant in the office of the Commissioner, Munger Division has been noticed on being found wanting in his discharge in placing 12 files relating to acquisition proceeding in obedience of the orders of the Commissioner and which delayed the disposal thereof. It is on account of the casual approach of the petitioner in not ensuring compliance of the order of the Commissioner dated 14.09.2012 that has invited the proceeding vide show cause at Annexure-4 and since the answer of the petitioner at Annexure-5 practically confirms the allegation that it has resulted in a punishment order which is minor in nature and the reasons accompanying the same does not persuade this Court to interfere therewith.

The writ petition is disposed of.

(Jyoti Saran, J)

Bibhash/-

AFR/NAFR	NAFR
CAV DATE	NA
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