

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10831 of 2014

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Kamleshwari Yadav son of Late Domi Yadav resident of village - Choughara, P.O. Hardi, P.S. + District - Supaul, presently posted as Panchayat Secretary, Marauna Panchayat, Block - Marauna, District - Supaul

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Panchayati Raj, Govt. of Bihar, Patna
2. The Principal Secretary, Department of Panchayati Raj, Government of Bihar, Patna
3. The Principal Secretary, Department of Social Welfare, Government of Bihar, Patna
4. The Commissioner, Kosi Division, Saharsa
5. The District Education Officer, Supaul
6. The District Panchayati Raj Officer, Supaul
7. The Director, N.E.P. - cum - Conducting Officer, D.R.D.A., Supaul
8. The Block Development Officer, Marauna, District - Supaul

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Amrit Abhijat, Advocate Mr. Manoj Kumar Gupta, Advocate Mr. Upendra Yadav, Advocate
For the State	:	Mr. R.R. Sinha, SC 19 Mr. Birendra Prasad Singh, AC to SC 19

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 07-12-2017

Heard learned counsel for the petitioner and the State.

The case of the petitioner is that the documents which he had annexed in his show cause to the disciplinary authority (Annexure-5) have not been considered. The order of the disciplinary authority is Annexure 6 of the writ petition.

The order of the disciplinary authority, Annexure 6 of



the writ petition does not show consideration of the said documents whatsoever. The evidence produced by the petitioner have not been considered.

Hence the order of the disciplinary authority Annexure 6 of the writ petition is hereby quashed and set aside. The matter is remitted to the disciplinary authority i.e., District Magistrate, Supaul to reconsider the same and to proceed expeditiously after considering the documents placed on record by the petitioner in his show cause dated 21.08.2012.

With the aforesaid direction, the writ petition is allowed.

(Madhuresh Prasad, J)

Prakash/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

