

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.505 of 2015
IN
Civil Writ Jurisdiction Case No. 4418 of 2008**

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1. Board Of Director, Through Its Chairman, Bihar Rajya Beej Nigam Ltd., Vikash Bhawan, New Secretariat, Patna
2. Secretary, Agriculture-cum- Managing Director, Bihar Rajya Beej Nigam Ltd. Mithapur Agriculture Form Campus, Mithapur, Patna.
3. Chief of Finance-cum- Conducting Officer, Bihar Rajya Beej Nigam Ltd. Mithapur Agriculture Form Campus, Mithapur, Patna
4. Company Secretary, Bihar Agriculture Form, Bihar Rajya Beej Nigam Ltd. Mithapur Agriculture Form Campus, Mithapur, Patna

.... Appellant/s

Versus

1. The State of Bihar
2. Agriculture Production Commissioner, Agriculture Department, Govt. of Bihar, Vikash Bhawan, New Secretariat, Patna.
3. Haridwar Singh son of Late Dhaneshwar Singh, resident of village Lila PS Sonhan District Kaimur (Bhabhua).

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sourendra Pandey, Adv.
For the Respondent no. 3: Mr. Sanjay Kumar, Adv.
For the State : Mr. Prabhakar Jha, G.P.-27

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 12-07-2017

Heard learned counsel for the appellants and learned counsel for the respondents-State.

Perused the impugned order dated 30.04.2014 passed in C.W.J.C. No. 4418 of 2008. The principle of law, enunciated by the learned single Judge, that the power under Rule 74 of the Bihar Service Code cannot be used to get rid of employees as a measure of



avoiding holding departmental enquiries, if at all a case for the same was made out is correct in law and fact.

No interference is warranted. The appeal is dismissed.

(Ajay Kumar Tripathi, J.)

(Rajeev Ranjan Prasad, J.)

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CAV DATE	
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