

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1023 of 2017

1. The State of Bihar
2. The Secretary, Road Construction Department, Bihar, Patna.
3. The Engineer-in- Chief cum Additional Commissioner-cum-Special Secretary, Road Construction Department, Bihar, Patna.

... .. Appellant/s

Versus

Abdul Rab S/o Late Khwaja Moinuddin, Resident of Flat No. 104, Naaz Apartment, Indirapuri Colony, P.S.- Shastri Nagar, District- Patna.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Hemant Prasad Singh, Advocate
For the Respondent/s :

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 22-09-2017

Delay of 254 days in filing of the appeal is condoned. I.A. No. 5140 of 2017 stands allowed and disposed of.

The learned Writ Court in the matter of interfering with an order of punishment i.e. stoppage of two annual increments without cumulative effect, has found that it was a case where for a solitary incident the respondent has been proceeded with and action taken. Applying the principle of law laid down by the Supreme Court in the case of **Union of India and others Vs. J. Ahmed- (1979) 2 SCC 286** the learned Writ Court has decided the issue and has interfered with the punishment.



In doing so, we see no error committed by the learned Writ Court warranting reconsideration. The Letters Patent Appeal stands dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	03.10.2017
Transmission Date	

