

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1938 of 2016

In
Civil Writ Jurisdiction Case No. 13885 of 2016

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Kaushal Kishore Verma, Son of Late Kameshwar Prasad Resident of-
Rajeev Nagar Road No. 8, P.S.- Rajeev Nagar, District- Patna.

.... Appellant/s

Versus

1. The State of Bihar through the Chief Secretary Government of Bihar, Patna.
2. The Principal Secretary, Road Construction Department Vishsewaraya Bhawan, Bailey Road, Patna
3. The Engineer in Chief Road Construction Department, Vishewsharaya Bhawan, Bailey Road, Patna
4. The Executive Engineer, Road Construction Department, Road Division No. 1 Gaya

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Rajiv Ranjan, Advocate
For the State : Mr. Raj Ballabh Prasad Yadav- AAG11
Mr. A.K.Dubey, AC to AAG-11

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

4 29-06-2017 Considering the fact that the learned writ Court has denied salary to the petitioner for the period in question because the petitioner is alleged to have been unauthorisedly absent and for the said period a departmental proceeding was initiated against the petitioner, there is no error in the order passed by the writ Court warranting reconsideration.

We are informed that now during the pendency of this appeal the departmental proceeding commenced. That being



so, if the petitioner has any grievance with regard to the department proceedings, which is a fresh cause of action for which he may ventilate independently and in denying salary to the petitioner for the reasons contained in the order passed by the writ court, we see no error warranting reconsideration.

The appeal stands dismissed.

(Rajendra Menon, CJ)

S.Pandey/-

(Anil Kumar Upadhyay, J)

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