

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Miscellaneous Jurisdiction Case No.2942 of 2015**

**In**  
**Civil Writ Jurisdiction Case No. 4839 of 2014**

=====

Raj Kumar Mahto, son of Sri Ramji Mahto, resident of Village-Dhurlakh,  
P.O.-Dhurlakh, P.S.-Samastipur, District-Samatipur

.... .... Petitioner/s

Versus

1. The State of Bihar.
2. Sri Pranav Kumar, son of not known, District Magistrate, Samastipur.
3. Sri Arun Kumar Singh, son of not known, Circle Officer, Anchal Office,  
Sarayanarjan, Samastipur.

.... .... Opposite Parties

=====

**Appearance :**

For the Petitioner : Ms. Asha Kumari, Advocate

For the State : Mr. Ramadhar Singh, G.P.-25

=====

**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

5      08-11-2017                      Heard learned counsel for the petitioner and the State.

A third supplementary show cause has been filed today, which clearly establishes that the Officers, who had been directed to be present in Court, vide order dated 06.11.2017, are personally present and have explained the circumstances as to why the petitioner was not given the consequential benefits.

So far as the joining of the petitioner is concerned, Rule 9(5) of the Bihar Government Servant (Classification, Control & Appeal) Rules, 2005 has been referred to, which clearly explains the situation. Notice of the departmental proceedings was served through substituted service of notice on the petitioner, who chose not to participate in the same.



Thereafter, a second show cause against the proposed punishment was also issued to the petitioner, which was duly received by him but also remained unanswered. Thereafter, the authorities proceeded to pass final order against the petitioner.

Learned counsel for the State submits that there has been substantial compliance of the order passed by this Court.

This Court after considering all the documents and also the third supplementary show cause is now satisfied that no case for contempt is made out. The contempt application stands dismissed.

It is, however, open to the petitioner to challenge any order which has been passed to his prejudice.

**(Anjana Mishra, J)**

PNM

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

