

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1552 of 2017

In
Civil Writ Jurisdiction Case No.2945 of 2016

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1. The State of Bihar.
 2. The Chief Secretary, Government of Bihar, Patna.
 3. The Principal Secretary, Minor Water Resources Department,
Government of Bihar, Patna.
 4. The Additional Secretary, Minor Water Resources Department ,
Government of Bihar, Patna.

... .. Respondents-Appellant/s

Versus

Alok Prasad, Son of Yadunandan Prasad, Resident of Village- Ahiwarpur,
P.O.- Dalminager, P.S.Dehri -on-Sone, District Rohtas at Sasaram, Presently
Executive Engineer (Under Suspension), Water Resources Department, Minor
Irrigation Division, District Sitamarhi, Incharge Tube Well Division,
Sitamarhi.

... .. Petitioner-Respondent/s

Appearance :

For the Appellant/s :

For the Respondent/s :

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 02-04-2018

None appears.

Defects pointed out by the office have not been
rectified.

The matter is pending since 2017. Even on
22.11.2017, when the matter was listed before the office, none
had appeared. Taking note of all these factors, we have perused



the record and we find that there is an unexplained delay of more than 11 months and 14 days in filing of this appeal. That apart, the appeal has been filed taking exception to an order dated 21.10.2016 passed in Civil Writ Jurisdiction Case No.2945 of 2016. The writ petitioner in the said case was an employee working in the State Government. He was suspended and a departmental enquiry was initiated against him. He challenged the proceedings in CWJC No.4117 of 2015 and on 09.07.2015, the writ petition was disposed of with a direction to the disciplinary authority to conclude the enquiry within six months from the date of production of a copy of the order. The period granted for conclusion of the enquiry lapsed in January, 2016. When nothing was done and the enquiry was not concluded, on 11th February, 2016, the present writ petition being CWJC No.2945 of 2016 was filed and when the matter was taken up after seven months, it was found that the enquiry has not been completed till September, 2016, and again when the case was taken up on 21.10.2016, it was found that even on 13.10.2016 the enquiry remained inconclusive. Holding that once the time limit granted for conclusion of the enquiry in CWJC No. 4117 of 2015 has lapsed and nothing has been done, the learned Writ Court interfered into the matter.



We find no error in the order passed by the learned
Writ Court warranting reconsideration. The appeal stands
dismissed.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

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