

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11181 of 2003

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Bankteshwar Jha, s/o late Mahendra Narayan Jha, r/o village-Galma, PS-Ghanshyampur, Dist-Darbhanga Petitioner/s

Versus

1. The Managing Director, Bihar State Food & Civil Supplies Corporation Ltd. Sone Bhawan, Birchand Patel Path, Patna
 2. Inquiry officer, Bihar State Food & Civil Supplies Corporation Ltd. Sone Bhawan, Birchand Patel Path, Patna
 3. District Manager, Bihar State Food & Civil Supplies Corporation Ltd., Madhubani Respondent/s
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Appearance :

For the Petitioner/s : Mr. Rajeev Roy
: Mr. Gorakh Jha
For the Respondent/s : Mr. R.S.Pradhan
Mr. Shailendra Kumar Singh
Mr. (Ga10)
For BSFC : Mr. Shailendra Kr. Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL JUDGMENT

Date: 14-08-2018

1. The present writ petition has been filed for quashing the order of dismissal dated 25.08.2003 passed by the Managing Director, Bihar State Food and Civil Supplies Corporation limited.

2. The brief facts of the case are that the respondents had initiated a departmental proceeding by issuance of a charge sheet dated 25.06.1991 on the allegation of misappropriation of a sum of Rs. 6.42 lacs approximately by the petitioner herein as also on the allegation that the petitioner had failed to hand-over the charge and thus, had engaged in misconduct.

3. The Inquiry Officer had conducted inquiry and submitted the inquiry report dated 07.07.2003, whereby and whereunder all the allegations leveled against the petitioner were found to have been



proved. Thereafter, a second show cause notice appears to have been served upon the petitioner and then the order of punishment dated 25.08.2003, dismissing the petitioner, has been passed.

4. The learned counsel for the petitioner has submitted that the lacuna in the departmental proceeding is to the effect that though the petitioner was demanding documents, the same were not supplied to him resulting in the entire disciplinary proceeding being vitiated.

5. I have heard the learned counsel for the petitioner and perused the materials on record and I find that there is no procedural irregularity in conduct of the departmental proceeding. The petitioner has also failed to show as to what prejudice has been caused to him on account of non- supply of documents, as demanded by him.

6. Having regard to the facts and circumstances of the case, I neither find any infirmity in the order of punishment nor any reason to interfere in the present case, hence the writ petition is dismissed, being devoid of merit.

(Mohit Kumar Shah, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18 .08.2018
Transmission Date	NA

