

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 19349 of 2014

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Anil Kumar S/O Late Krishna Mohan Prasad Resident of Village- Rampur, P.O.-
Akair, P.S.- Chandi, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Nalanda.
3. The Additional Collector, Departmental Proceeding, Nalanda
4. The Enquiry Officer-cum-District Land Acquisition Officer, Nalanda.
5. The Dy. Collector Land Reforms, Rajgir, Nalanda.
6. The Presenting Officer-cum-Circle Officer, Anchal- Rajgir, District- Nalanda.
7. The Circle Officer, Anchal – Rajgir, District – Nalanda
8. The Divisional Commissioner, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr Prakash Srivastava, Advocate
For the S t a t e : Mr Manindra Kishore Singh, SC VI

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 09-05-2018

Learned counsel for the petitioner is directed to implead
Divisional Commissioner, Patna as respondent No 8.

2 Under the order dated 10.09.2014 issued by the
Collector, Nalanda under Memo No 2135, the petitioner has been
dismissed from service.

3 It is objected by the learned counsel for the
respondent-State that the petitioner has rushed to this Court without
availing his remedy of appeal which is provided to him before the
Divisional Commissioner, Patna, who is respondent No 8 to the



instant writ petition.

4 In view of such objection being raised by the learned counsel for the State, the writ petition is disposed of with liberty to the petitioner to avail his remedy of appeal before the Divisional Commissioner, Patna.

5 Since the matter is being remanded on objection made by the learned counsel for the State, the Divisional Commissioner, Patna would be obliged to consider and dispose of the appeal of the petitioner on merit in accordance with law without raising the technical issue of the appeal being time barred.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	09.05.2018
Transmission Date	NA

