

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13723 of 2017

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1. The Principal Secretary, Department of Home, Government of Bihar, Patna.
 2. The Additional Secretary, Department of Home, Government of Bihar, Patna.

.... Petitioner/s

Versus

1. Md. Mansoor Ahmad, S/o Late S.M. Yahiya, resident of Mohalla- Sangam Colony, Digha, PO & PS- Digha Ghat, District- Patna.
2. The Union of India, through the Secretary, Government of India, Ministry of Home Affairs, New Delhi.
3. The Union Public Service Commission, Dholpur House, Shahjehan Road, New Delhi, through its Chairman.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. P.K. Verma, Adv.
For the U.P.S.C. : Mr. Kaushal Kumar Jha, Adv.
For the U.O.I. : Mr. Anshuman Singh, C.G.C.

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 15-01-2018

Today counsel for the Union of India has produced the advice in a sealed cover in relation to their opinion as to the charges which form the basis for initiation of a departmental proceeding against private-respondent.

The opinion of the U.P.S.C. seems to be in conformity with the findings which had been given by the enquiry officer that no charges, as such, is made out.



If this is so, then the State authorities should now allow the matter to rest. Even otherwise vide notification no. 8518 dated 30.10.2017, the State of Bihar has decided to drop the departmental inquiry. The private-respondent has superannuated on 30.11.2016.

We do not, therefore, feel enthused to interfere with the order the Central Administrative Tribunal, Patna Bench Patna dated 20.07.2017 passed in M.A. /050/00262/2017 arising out of O.A. No. 687 of 2016.

Writ application is a frivolous exercise now, and, therefore, it is dismissed.

The advice of the U.P.S.C. is placed on record.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Devendra/Arjun

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

