

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.833 of 2016

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Manisha, Wife of Amresh Kumar Gupta, C/o Prof. M.P. Jaiswal, resident of
Amla Tola, P.S Katihar, District Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Social Welfare Department, Government of Bihar,
Patna.
3. The Deputy Secretary, Social Welfare Department, Bihar, Patna.
4. The State of Jharkhand through the Secretary Department of Social & Welfare
Women & Child Development, Ranchi
5. The Deputy Secretary, Social Welfare Women and Child Development
Department, Jharkhand, Ranchi

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Singh, Adv.
For the Respondent/s : Mr. D.K. Sinha, AAG2

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL JUDGMENT

Date : 14-08-2018

Heard Mr. Shashi Bhushan Singh, learned counsel for the
petitioner. None appears on behalf of the State.

Perused the records.

The petitioner is aggrieved by the dismissal order bearing
Memo No. 3263 dated 09.07.2012 which is on account of
continued absence of the petitioner since after transfer from the
State of Jharkhand.

Perusal of the record would confirm that the petitioner was
allotted to the State of Bihar under the mutual transfer policy vide
notification No. 1740 dated 16.11.2009. On being relieved from
the Jharkhand State she joined the State of Bihar on 04.12.2009



but there after has remained absent from the duty. It is mentioned in the counter affidavit that the petitioner went on filing application without bothering to seek sanction resulting in drawing of the disciplinary proceeding in which she participated but the explanation given by the petitioner for her continued absence did not satisfy the disciplinary authority which has resulted in the order of dismissal, put to challenge herein.

Apart from the fact that the charge of continued absence is unpardonable, even the delayed action by the petitioner to question an order of dismissal after a lapse of 4 years is sufficient explanation of the laid back attitude with which the petitioner has been pursuing her cause.

No cause for indulgence is made.

The writ petition is dismissed.

(Jyoti Saran, J)

Bibhash/Ranveer

AFR/NAFR	NAFR
CAV DATE	NA
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