

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.880 of 2016

In

Letters Patent Appeal No.804 of 2014

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Santlal Chaudhary, S/o Late Ramswaroop Choudhary, Resident of village-
Rashulpur, P.S.- Mahua, District- Vaishali (Hazipur)

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Dr. S. Siddhartha, The Principal Secretary, Department of Labour and
Employment, Government of Bihar, Main Secretariat, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Krishna Chandra, Advocate
For the Respondent/s	:	Mr. Lalit Kishore, Advocate General
		Mr. Anil Kumar Singh, G.P. 26
		Mr. Gautam Kr. Yadav, AC to GP 26

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

6 15-03-2018 In pursuance to the order passed by us on 06.03.2018, the

learned Advocate General, Bihar, is present along with

disciplinary authority Sri Deepak Kumar Singh, the Principal

Secretary, Labour Resources Department and Sri Birendra

Singh, Joint Commissioner. They have filed a show cause which

goes to show that the disciplinary authority now proposes to

commence the enquiry and conduct in accordance to the order

passed by the Division Bench in Letters Patent Appeal No.804

of 2014 and he prays for four months' time to conclude the

enquiry as directed by the Division Bench on 22.08.2014. We

are also informed that now the petitioner has retired on attaining



the age of superannuation. Therefore, there is no question of reinstating him and provisional pension is also being granted to him. That apart, the learned disciplinary authority has expressed his regret with regard to the default committed in the matter of implementing the directions issued by the Division Bench. We accept the regret and also prayer made in the show cause filed on 13th of March, 2018 and dispose of the matter granting liberty to the disciplinary authority to conclude the enquiry and take a final decision in the matter within a period of four months from the date of receipt of a certified copy of this order. Needless to emphasise that the petitioner shall be granted liberty to raise all objections as are permissible in law before the enquiry officer or the disciplinary authority, as the case may be, and they are expected to deal with the objections in accordance with law.

With the aforesaid, the matter stands disposed of and appearance of the officers dispensed with.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

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