

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 1431 of 2015

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Hari Shankar Prasad, son of late Chamaklall Poddar, R/o + PO and PS – Gidhaur,
District – Jamui. Presently posted as Rajswa Karamchhari in Circle Office – Khaira,
PS – Khaira, District - Jamui

.... Petitioner/s

Versus

- 1 The State of Bihar
- 2 The Principal Secretary, Revenue & Land Reforms Department, Bihar, Patna
- 3 The Divisional Commissioner, Munger
- 4 The District Magistrate, Jamui
- 5 The Sr Deputy Collector (Estab) Jamui
- 6 The Incharge District Revenue Officer, Jamui –cum- Conducting Officer
- 7 The Circle Officer, Laxmipur, Jamui
- 8 The Circle Officer, Khaira, Jamui

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr Rajesh Kumar Sinha, Advocate
For the S t a t e : Mr Nawal Kishor Singh, AC to GP XXVI

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 02-05-2018

At the very outset, this Court finds that the detailed and comprehensive appeal bearing Service Appeal No 25 of 2014, which has been filed by the petitioner against the order terminating his services which is dated 03.03.2014 and is passed by the District Magistrate, Jamui, has been disposed of by a cryptic order. The same shows total non-application of mind. No reason whatsoever has been assigned and none of the points raised by the petitioner in the Service Appeal have been considered by respondent No 3 in the order dated 03.12.2014 rejecting the petitioner's Service Appeal No 25 of 2014. There appears to be total failure to discharge the appellate functions



by respondent No 3.

2 This Court is tempted to castigate the authority for passing the cryptic order which amounts to total non-application of mind.

3 However, this Court would grant one opportunity to respondent No 3 to reconsider and pass a fresh order after considering all the points raised in Service Appeal No 25 of 2014.

4 Since a comprehensive appeal is already on the record of the authorities, respondent No 3 would be obliged to pass a detailed and considered speaking order in accordance with law on the Service Appeal No 25 of 2014 within a period of four weeks from the date of receipt/production of a copy of this order.

5 The writ petition is, accordingly, disposed of.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	02.05.2018
Transmission Date	NA

