

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13366 of 2016

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Awadhesh Kumar Jha, S/o Shri Jagada Nand Jha, Resident of Village-Basauli, P.O + P.S.- Rahika, District- Madhubani, presently posted as Executive Engineer, Flood Control Division, Naugachia.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Water Resources Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Water Resources Department, Govt. of Bihar, Patna.
3. The Deputy Secretary, Water Resources Department, Government of Bihar, Patna.
4. The Engineer-In- Chief (Flood) Water Resources Department, Bihar, Patna.

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr. Chitranjan Sinha, Sr. Advocate Mr. Alok Ranjan, Advocate
For the Respondent/s	:	Mr. Lalit Kishore, Advocate General

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 26-11-2018 Heard learned counsel for the petitioner and
learned counsel for the State.

In this case, the petitioner is challenging the order vide memo no.756 dated 11.05.2016, whereby and whereunder the petitioner has been awarded two punishments, namely, censure for the period 2014-15 and stoppage of two increments with none-cumulative effect.

In fact, the effect of both the punishments is over, but only grievance has been raised that on that account his case for promotion is not being considered though the juniors to him have been granted the same.

Let the petitioner file a proper application for



redressal of his grievance. If such a representation is filed, the competent authority shall consider and decide the same in accordance with law within a period of four months from the date of filing of representation by the petitioner. If the effect of the punishments is already over, it goes without saying that the petitioner cannot be deprived of promotion on account punishment order passed against him.

With the aforesaid observations and directions, this writ petition is disposed of.

(Shivaji Pandey, J)

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