

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16204 of 2010

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1. Binod Kumar Tiwari S/O Keshav Tiwari R/O Mohalla- North Mandiri,
Dhobi Tola, P.S.- Budha Colony, Distt.- Patna

.... Petitioner/s

Versus

1. The State Of Bihar Through The Chief Secretary
2. The Secretary Department Of Home (Special Branch), Government Of Bihar, Patna
3. The Director General Cum Commissioner For Civil Defence Department Of Disaster Management And Civil Defence, Headquarter, Patna, Government Of Bihar, Patna
4. The Inspector General Cum Additional Commissioner For Civil Defence Department Of Disaster Management And Civil Defence, Head Quarter - Patna, Government Of Bihar, Patna
5. The Principal Secretary Department Of Personnel And Administrative Reforms, Government Of Bihar, Patna
6. The Principal Secretary Department Of Finance, Government Of Bihar, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha
For the Respondent/s : Mr. (Ga10)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 19-06-2018 The present writ petition has been filed for quashing of the letter dated 16.06.2010 passed by the respondent no. 3, whereby and whereunder the petitioner has been communicated that his representation for grant of financial benefits on the post of Clerk with retrospective effect i.e. from 02.11.1994 has been rejected. The petitioner has further prayed for grant of salary and other emoluments in the scale of Class-III clerk with effect from 02.11.1994.



A bare perusal of the impugned order dated 16.06.2010 passed by the respondent no. 3 would show that the same suffers from the vice of being unreasoned order depicting no ground whatsoever for the rejection of the representation of the petitioner and has been passed in a mechanical manner.

The learned counsel for the respondents is not in a position to controvert the said fact.

Having regard to the facts and circumstances of the case, I find that the impugned order dated 16.06.2010 does not depict any ground whatsoever for rejection of the case of the petitioner, hence the same is quashed and the matter is remitted to the respondent no. 3 for consideration of the case of the petitioner afresh whereafter the respondent no. 3 shall pass a reasoned and speaking order after taking into consideration the totality of the facts and circumstances of the case of the petitioner. The final order should be passed within a period of six weeks from today.

The writ petition is allowed with the aforesaid direction.

(Mohit Kumar Shah, J)

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