

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10639 of 2015

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Badri Narayan Jha Son of Late Sone Lal Jha, resident of village + P.O. -
MOTipur, Via - Karyani BAZar, District – Supaul Petitioner

Versus

1. The State of Bihar.
 2. The Principal Secretary, Education Department, Government of Bihar, Patna.
 3. The Director, Higher Education, Government of Bihar, Patna.
 4. The Chairman cum Directorate, South India Languages Institution, New Secretariat, Vikash Bhawan, Patna.
 5. The Deputy Director, South India Languages Institution, New Secretariat, Vikash Bhawan, Patna Respondents
- =====

Appearance :

For the Petitioner : Mr. Prabhat Ranjan Singh, Advocate
For the State : Mr. Nawal Kishore Singh, AC to GP 26

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 31-01-2018 Heard the petitioner and the State.

The writ petition has been filed by the petitioner asserting that while he was under treatment for mental illness between the period 2006 to 2013 he could not attend his service in the respondents' organization. He prays that his joining pursuant to grant of certificate of fitness has not been accepted till date.

Counsel for the petitioner submits that the petitioner had been issued show cause vide Annexure 6 dated 9.4.2015 alleging that regarding the long period of absence he has not submitted certificate from the competent authority. The same has been replied by the petitioner to the Chairman cum Directorate, South India Languages Institution, New Secretariat,



Vikash Bhawan, Patna (respondent no.4) vide Annexure 7 by the registered post on 21.4.2015.

The writ petition has been filed in 2015 and no counter affidavit has been filed by the respondents. Records does not reveal that the respondents made any communication to the petitioner pursuant to his reply to the show cause.

Since, the final decision on the reply filed by the petitioner (Annexure 7) has to be taken by the respondent no. 4, no useful purpose would be served by keeping the instant proceeding pending. In that view of the matter, the writ petition is disposed of with a direction to the respondent no. 4 to take a final decision on the petitioner's reply, Annexure 7 within a period of eight weeks from the date of receipt/production of a copy of this order.

(Madhuresh Prasad, J)

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