

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 20516 of 2014

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Shivadhar Yadav son of Jangi Singh Yadav resident of village Dahla, P.S.
Durgawati, District Kaimur t Bhabua.

.... Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Kaimur at Bhabua.
2. Additional Collector, Kaimur at Bhabua.
3. Senior Superintendent of Police, Kaimur at Bhabua.
4. Sub - Divisional Officer, Mohania, Kaimur at Bhabua.
5. Circle Officer, Durgawati, Kaimur at Bhabua.
6. Officer-in-charge of Police Station, Durgawati, District - Kaimur at Bhabua.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr Tribhuwan Narayan, Advocate
For the S t a t e : Mr Rakesh Kumar Ranjan, AC to GA V

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 10-07-2018

Heard learned counsel for the petitioner and the
respondent-State.

2 At the very outset, preliminary objection is raised by
the learned counsel for the respondents regarding maintainability of
the instant writ petition challenging the order of compulsory
retirement awarded to the petitioner under order dated 05.07.2014
issued under Memo No 690 by the District Magistrate, Kaimur.

3 It is submitted that the petitioner has adequate
opportunity/statutory remedy by way of filing an appeal before the
Commissioner of the Division.



4 In view of such position, learned counsel for the petitioner is permitted to add the Commissioner, Patna Division as respondent No 7. Petitioner may approach respondent No 7 by filing his appeal against the order impugned within a period of four weeks from today.

5 Since the objection regarding maintainability of the writ petition is raised by the State, it shall be precluded from raising the plea of the petitioner's appeal being barred by lapse of time and respondent No 7 shall consider and dispose of the petitioner's appeal by reasoned and speaking order in accordance with law within a period of three months thereafter.

6 Writ petition is disposed of.

(Madhuresh Prasad, J)

ME.H./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	14.07.2018
Transmission Date	NA

