

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11511 of 2018

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Ranjit Kumar Ghosh son of Late Bibhuti Bhushan Ghosh resident of Village -
Laluchak Bhattha, P.S. - Ishakchak, District - Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate Bhagalpur.
2. The District Magistrate-cum-District Election Officer, Bhagalpur.
3. The Sub-Divisional Officer, Kahalgaon, Bhagalpur.
4. The Senior Deputy Collector, District Establishment, Bhagalpur.
5. The Deputy Election Officer, Bhagalpur.
6. The Conducting Officer-cum-Senior Deputy Collector, District Certificate Section, Bhagalpur.
7. The Conducting Officer-cum-District Panchayati Raj Officer, Bhagalpur.
8. Incharge Officer, Vehicle Cell-cum-District Supply Officer, Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sushant Praveer, Adv.
For the Respondent/s : Mr. Manish Kumar -GP4

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date : 11-12-2018

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

In the present case, the petitioner is challenging the
order contained in Memo No. 124 dated 20.1.2018 by which the
District Magistrate, Bhagalpur has reduced his pay-scale to the
bottom.

From the records, it appears that the proceeding was
initiated for misappropriation- cum- mis-utilization of the
government money which resulted into passing the present
impugned order.



Learned counsel for the petitioner submits that the respondents have not followed the provision as prescribed under law and violated the same, the petitioner has been visited with the order of punishment and sought interference of this Court.

Learned counsel for the State has submitted that there is a provision for appeal, whatever plea he has to take, he can raise the same before the appellate authority.

There is no denial of the fact that the appeal lies against the order passed by the District Magistrate, Bhagalpur.

Let the petitioner should exhaust the alternative remedy as is available to him by way of filing an appeal and the appellate authority will take a decision in accordance with law within a period of four months from the date of filing of the appeal.

It goes without saying that the petitioner must be paid the admitted retirement benefit to which he is entitled as per law within the same aforesaid period.

With the aforementioned observation, this writ application is disposed of.

(Shivaji Pandey, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	13.12.2018
Transmission Date	

