

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2560 of 2018

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Raj Kumar Mishra, Son of Late Buddhi Nath Mishra, Resident of Mohalla-New Colony, Subhankarpur, (near Badri Narayan Mandir) At & P.O.- Darbhanga, P.S.- Sadar, District- Darbhanga, PIN- 846004 (Bihar), (Dismissed Sub-Staff B.O. Darbhanga, S.R. No. 802832).

... .. Petitioner/s

Versus

1. The Oriental Insurance Company Ltd. through its Chairman Cum Managing Director. Regd. Office: Oriental House, PB. No. 7037A, 25/27 Asaf Ali Road, New Delhi- 110002.
2. The Deputy General Manager The Oriental Insurance Company Ltd. Regd. office- Oriental House PB. No. 7037, A 25/27 Asaf Ali Road, New Delhi- 110002 . (The Appellate Authority).
3. The Regional Manager The Oriental Insurance Company Ltd. Regional Office Rajendra Path, Kadam Kuan, Patna- 800003. (The Disciplinary Authority).
4. The Branch Manager The Oriental Insurance company Ltd. Branch Office, Mirza pur Road, Sakma Pool, Darbhanga (The Enquiry Officer).
5. Administrative Officer The Oriental Insurance company Ltd. Branch Office, Mirza pur Road, Sakma Pool, Darbhanga (The Presenting Officer).

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shashi Nath Jha, Adv.
For the Respondent/s	:	Mr. Satyabir Bharti, Adv.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL JUDGMENT

Date : 25-07-2018

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

In this case, the petitioner is challenging the order of dismissal dated 18.9.2015 (Annexure-9) by which the services of the petitioner has been dispensed with on the ground that the petitioner has obtained the employment by suppressing his educational qualification, the same was challenged before the appellate authority which was rejected vide order dated 3.6.2016



(Annexure-10) and further grievance has been raised that the memorial filed against the appeal is pending since 25.10.2016.

Learned counsel for the petitioner submits that it is the case of dismissal from service on account of suppression of the educational qualification and further submitted that he had produced necessary certificates of passing the 8th class but, that was not considered and, only on the basis of confessional statement, the findings have been recorded against the petitioner and order of dismissal has been passed.

This Court is not going to deal with the merit of the case. Let the memorial, pending before the Authority, should be disposed of by passing a reasoned order within a period of eight weeks from the date of receipt/production of a copy of this order.

If the order is passed against the petitioner in the memorial, the petitioner will be at liberty to challenge the same before the appropriate authority/forum/court.

With the aforementioned observations and direction, this writ application is disposed of.

(Shivaji Pandey, J)

rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	01.08.2018
Transmission Date	NA

