

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1542 of 2018

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Dr. Arjun Ram, Son of Jagdish Ram, Resident of Village- Diawan, P.S.-
Karai Parasurai, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Commissioner-cum-Secretary, Department of Health and Family Welfare, Govt. of Bihar, Patna.
3. The Joint Secretary, Department of Health and Family Welfare, Govt. of Bihar, Patna.
4. The Deputy Secretary, Department of Health and Family Welfare, Govt. of Bihar, Patna.
5. The Civil Surgeon-cum-Chief Medical Officer, Bhojpur, Ara.
6. The Incharge Medical Officer, Primary Health Centre, Sandesh, Bhojpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. D.K. Sinha, Sr. Advocate
Mr. Bhola Prasad, Advocate
Mr. Kumar Ranjit Ranjan, Advocate
For the State : Mr. Kamlesh Kishore, Ac to SC12

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 21-08-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

This writ petition is disposed of on a short point that
person who has passed the original order has also passed the
order in appeal and that too without giving any reason.

This Court is not giving any opinion on the merit of the
case. The petitioner was proceeded departmentally and
thereafter the order of punishment has been passed against
him, by inflicting punishment, he has been brought down to



the minimum scale and period from 25.9.2011 to 5.11.2014 will not be treated to be break in service but he will not be entitled to any salary on the principle of no work no pay.

Petitioner can not have an opportunity of appeal as this Court is of the view that there cannot be an appeal against the order passed by the Governor but maximum order can be reviewed. This case is being remanded back to the extent that the appeal will be treated to be a review and authority will pass the order in accordance with law.

This order will be kept in abeyance till a fresh order is passed.

With the aforesaid observation and direction this writ petition is disposed of.

(Shivaji Pandey, J)

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