

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2261 of 2016

=====

Arvind Kumar Singh son of Late Girish Nandan Singh, Resident of Village-
Daya Nagar, P.S. Belsand, District- Sitamarhi.

... .. Petitioner

Versus

1. The State Of Bihar through the Chief Secretary, Govt., Of Bihar, Patna
2. The Principal Secretary, Minor Water Resources Department, Government of Bihar, Patna.
3. The Joint Secretary, Minor Water Resources Department, Government of Bihar, Patna.
4. The Under Secretary, Minor Water Resources Department, Government of Bihar, Patna.
5. The Deputy Secretary, Minor Water Resources Department, Government of Bihar, Patna.
6. The Project Coordinator, Tube Well Wing, Minor Water Resources Department, Government of Bihar, Pat
7. The Chief Engineer North, Minor Water Resources Department, Muzaffarpur.
8. The Superintending Engineer, Minor Water Resources Department, Minor Irrigation Circle, Muzaffarpur
9. The Executive Engineer, Minor Water Resources Department, Minor Irrigation Division, Muzaffarpur.
10. The Executive Engineer, Minor Water Resources Department, Minor Irrigation Division, Bettiah.

... .. Respondents

=====

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Singh
For the Respondent/s : Mr.R.S. Nath- Aag3

=====

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 13-02-2019 Heard learned Counsel for the petitioner and the

learned Counsel for the respondent State.

Counsel for the petitioner submits that he would be
filing his comprehensive appeal before respondent No. 2 against
the order dated 10.5.2007 whereby punishment has been
imposed upon the petitioner. He submits that the procedure
adopted by the Disciplinary Authority is in teeth of the



provisions contained in Rule 18 of the Bihar CCA Rules 2005 as also contrary to the order dated 26.7.2005 passed on the petitioner's earlier writ petition bearing CWJC No. 4597 of 2004.

Since the issues are to be decided by the Appellate Authority no useful purpose is going to be served by keeping the instant proceeding pending.

The petitioner should file his appeal within a period of four weeks from today. In the event the same is done the issue of delay may not be raised against the petitioner and the Appellate Authority would be obliged to consider the petitioner's appeal on merit by a reasoned and speaking order within a period of three months thereafter.

It is made clear that nothing in this order may be deemed as expression on the merit of the submission.

The writ petition stands disposed of.

(Madhuresh Prasad, J)

SNkumar/-

U			
---	--	--	--

