

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.510 of 2019

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Raghunandan Prasad Son of Late Dwarka Prasad Resident of at 303,Ganesh Dham Apartment,Road No.3,New Patliputra Colony,Boring Road,P.O.P.S.-Patliputra,Dist.-Patna

... .. Petitioner/s

Versus

1. The State Of Bihar, through Chief Secretary, Bihar at Patna.
2. Secretary,Rural Works Department, Bihar, Patna.
3. Deputy Secreary,Rural Works Department Govt. of Bihar at Patna.
4. Principal Secretary,General Administration Department,Bihar at Patna.
5. The Chief Engineer,Rural Works Department,Govt. of Bihar.
6. The Chief Engineer-2-cum-conducting Officer,Rural Works Department, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ravi Prakash
For the Respondent/s : Mr.Ajay- Ga5

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 05-09-2019 It is submitted by the petitioner's counsel that the conclusion of the Disciplinary Authority dated 09.04.2018 is non est. He submits that the Disciplinary Authority has differed with the finding of the Inquiry Officer dated 15.12.2017 merely on basis of difference with opinion of the Inquiry Officer he has held the charges to be proved without any consideration whatsoever.

The petitioner has adequate remedy under Rule 24 (2) of the Bihar CCA Rules. In the circumstances, this Court is of the opinion that since adequate alternative remedy is available



to the petitioner, the petitioner may approach the authority by filing his review in the form of memorial against the order of punishment dated 29.4.2019 whereby his pay scale has reduced to the lowest of the pay scale. If petitioner approaches the authority under Rule 24 (2) within four weeks, the same shall be considered on its own merits without raising any issue of the same being filed by any delay, on account of long pendency of the instant proceeding.

It is expected that authority concerned shall consider and dispose of the matter expeditiously and without any undue delay.

The instant writ petition stands disposed of.

(Madhuresh Prasad, J)

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