

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4834 of 2016

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Panna Lal Son of late Sukhdeo Narayan Sinha Resident of Village- Mahabar,
Post office Police Station -Doud Nagar, Dist- Aurangabad.

... .. Petitioner/s

Versus

1. State Of Bihar and Ors
2. The Commissioner, Gaya Commissionerary Gaya.
3. The District Magistrate, Nawada.
4. The Block Development Officer B.D.O. Roh Nawada.
5. The District Panchayat Rajya Padadhikari Nawada.
6. Additional Collector Cum Department Inquiry Officer, Nawada.
7. Sub Divisional Officer, Rajuali.
8. Mukhiya , Gram Panchyat Dumari
9. The Block Development Officer, Mascore, Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Deepak Kumar Sinha
For the Respondent/s : Mr.Ajay Kumar Sharma, AC to AG

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 17-10-2019 Heard counsel for the petitioner and counsel for the
respondents-State.

State counsel takes an objection regarding
maintainability of the instant proceedings as order of the District
Magistrate, Nawada dated 17.12.2015, being order of
punishment in the departmental proceedings has been assailed
without availing remedy of appeal before Divisional
Commissioner, Gaya.

Petitioner's counsel submits that he would avail the



remedy within six weeks.

Objection regarding maintainability on the ground of alternative remedy, having been raised by State counsel, this court would only observe that if appeal is preferred by the petitioner within 4 weeks, the respondent no.2 shall proceed to consider the same on merits without raising issue of delay.

Writ petition stands disposed of.

(Madhuresh Prasad, J)

s.hassan/-

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