

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.11872 of 2014**

Radhakant Kumar Son of Sri Ram Chandra Paswan, Resident of Village-  
Bandhuganj, P.S. Ghoshi, District- Jehanabad ... Petitioner

Versus

1. The State Of Bihar through the chief Secretary Government of Bihar, Patna
  2. The Principal Secretary, Environment and Forest department, Bihar, Patna
  3. The Secretary, Environment and Forest department, Bihar, Patna
  4. The Joint Secretary, Environment and Forest department, Bihar, Patna
  5. The Deputy Secretary, Environment and Forest department, Bihar, Patna
  6. The Principal Chief Conservator of Forest, PCCF, Bihar, Patna
  7. The Chief Conservator of Forest CCF-cum-Wild Life Warden, Bihar, Patna
  8. The Inspector General of Police weaker section, CID, Bihar, Patna
  9. The Superintendent of Police weaker section, CID, Bihar, Patna
- ... .. Respondents

**Appearance :**

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| For the Petitioner  | : | Mr.Dilip Kumar No. 1, Advocate   |
|                     |   | Mr. Sudhir Kumar, Advocate       |
| For the Respondents | : | Mr. Dharendra Kumar, AC to AAG 6 |

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

2      25-02-2019                      Heard learned counsel for the petitioner as well as  
learned counsel for the State.

Petitioner has rushed to this Court directly against order of punishment dated 22.7.2011 passed by the Deputy Secretary, Government of Bihar, Patna. Petitioner has been awarded punishment of recovery of rent of Rs.1977.50 per month from his salary in two installments. One censure in the confidential report for the period 2003-04 has also been made. He has also sought quashing of the decision taken by the authorities that only 90% of his salary would be paid to the petitioner for the period of suspension. It is the submission of the petitioner's counsel that the other dues have already been



paid. To that extent, he does not raise any objection. It is only on the issue of censure and depriving him of 10% salary for the period of suspension, he submits that order is not sustainable.

The petitioner has adequate alternative remedy under Rule 24 of the Bihar CCA Rules, 2005. Learned counsel for the petitioner submits that the petitioner would be making his submission before the competent authority under Rule 24 of the Bihar CCA Rules, 2005 within a period of four weeks.

In the event, such application is filed within four weeks, respondent authorities would be obliged to consider the petitioner's claim by a reasoned and speaking order on its own merit expeditiously and preferably within a period of three months thereafter.

The issue of delay should not be raised by the respondent authorities and the time spent in the instant proceeding should be taken into consideration.

Writ petition stands disposed of.

**(Madhuresh Prasad, J)**

Shashi

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