

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8812 of 2015

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Shri Dev Sundar Lal Das Son of Jai Kant Lal Das Resident of village -
Jagatpur, Post office - Barail, Police Station and District - Supaul

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Director, Panchayati Raj Department Government of Bihar, Patna
3. The Commissioner, Koshi Division, Saharsa
4. The District Magistrate Cum Collector, Supaul
5. The District Panchayat Officer, District Supaul
6. The District Development officer, Supaul
7. The Additional Collector, Supaul
8. The Sub - Divisional officer, Supaul, District - Supaul
9. The Block Development officer, Kishanpur, District - Supaul
10. The Treasury officer, Supaul

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shekhar Kumar Singh
For the Respondent/s	:	Mr. Ajay Bihari Sinha, GA 8
		Mr. Suryakant Kumar, AC to GA 8

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 11-09-2019 Heard counsel for the petitioner and counsel for the
respondents-State.

Counsel for the State raises an objection that without
availing remedy of appeal before respondent no.3-
Commissioner, Koshi Division, Saharsa, petitioner has directly
rushed to this court against the order of punishment dated
27.02.2015 issued by the District Magistrate.

Mr. Shekhar Kumar Singh, counsel for the petitioner



submits that he would be availing the remedy before the Commissioner.

This court would observe that since objection regarding availing of alternative remedy is raised by counsel for the State, appellate authority (respondent no.3) shall consider the petitioner's appeal on its own merits without raising any issue of delay having regard to pendency of the issue in these proceedings since 2015.

In order to avail remedy of appeal, petitioner should file representation before respondent no.3 within four weeks from today. If the petitioner avails remedy of appeal within time limit, respondent no.3 should consider the same and dispose of by reasoned and speaking order on merits of the matter, in accordance with law within the period of three months thereafter.

Writ petition stands disposed of.

(Madhuresh Prasad, J)

s.hassan/-

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