

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14884 of 2014

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Kauleshwar Prasad son of Dhanushdhari Singh resident of village - Saber,
Tola - Doman Bigha, Police Station - Ghoshi, District - Jehanabad

... .. Petitioner/s

Versus

1. The State Of Bihar through the Collector cum District Magistrate, Gaya
2. The Additional Collector cum Conducting officer, Gaya
3. The Sub - Divisional Officer cum - Conducting officer, Sherghati, Gaya
4. The Circle Officer, Establishment, Sherghati, Gaya
5. The Commissioner, Magadh Division, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kr. Sinha, Advocate
For the Respondent/s : Mr. Nadeem Seraj, GP-5

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 24-09-2019 Heard learned counsel for petitioner and the State.

2. Learned counsel for petitioner is permitted to implead the Commissioner, Magadh Division, Gaya, as respondent no.5 in course of the day.

3. The order of punishment assailed in the instant proceedings is issued by the Collector, Gaya.

4. Counsel for the State raises an objection regarding the alternative remedy of appeal before the Commissioner being available to the petitioner.

5. In view of the objection regarding remedy being available to the petitioner, the petitioner is permitted liberty to approach the Appellate Authority, namely, the Commissioner,



Magadh Division, Gaya by filing his appeal. Since the issue of alternative remedy has been raised by the State counsel, this Court would only observe that the Commissioner should proceed to consider the petitioner's claim on merits without raising the issue of delay, if the petitioner presents his appeal within 04 (four) weeks.

6. Accordingly, the writ application stands disposed off.

(Madhuresh Prasad, J)

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