

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7092 of 2019

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Jagdish Prasad Yadav aged about 65 years (M) S/o Late Sone Lal Yadav,
Resident of Village- Baikunthpur, P.S.- Sultanganj, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary Home (Special) Department, Bihar, Patna.
2. The Principal Secretary Home (Special) Department, Bihar, Patna.
3. The I.G., Prison and Reforms Services, Bihar, Patna.
4. The Additional Secretary-cum-Director, Administration, Prison and Reforms Services, Directorate, Government of Bihar, Patna.
5. The District Magistrate, Samastipur.
6. The Superintendent Shahid Khudiram Bose, Central Jail, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sudhanshu Shekhar
For the Respondent/s : Mr. Sheo Shankar Prasad (Sc8)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 29-04-2019

Heard learned counsel for the petitioner and the

State.

The petitioner has preferred the present petition for

setting aside the order dated 26.07.2013 passed by the

Inspector General of Police, Prison and Reforms Services,

Bihar, Patna (respondent no. 3) whereby the petitioner has

been inflicted with punishment of reduction in pay which is

equivalent to four increments and nothing except subsistence



allowance to be paid to him during the period of his suspension.

In the writ petition, there is a specific statement of the petitioner that against the aforesaid order passed by the disciplinary authority, an appeal was preferred in the year 2013 before the Principal Secretary-cum-Commissioner, Home (Special Department), Government of Bihar (Respondent no.2) but the same has yet not been disposed off. One of the grounds of the petitioner is that the respondent no. 2 seems to be uninterested in dispensing justice to the petitioner and therefore, he has kept the appeal pending before him for six long years.

There can be no reason for sitting over an appeal for such a long time.

Learned counsel for the petitioner has drawn the attention of the Court that the inquiry proceedings also have not been conducted in a proper manner and the set principles have been breached with impunity.

This Court is not happy to record that the appeal has not been decided in six years.



Under the aforesaid circumstances, the appellate authority i.e., respondent no. 2 is directed to dispose off the appeal within four weeks from the receipt/production of a copy of this order by a reasoned order.

With the aforesaid observation/direction, the writ petition stands disposed off.

(Ashutosh Kumar, J.)

Sarvesh/Ranjeet

AFR/NAFR	NAFR
CAV	NA
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